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Amendments to National Assembly Rules on Organization, Activities

92BA1014A Sofia DURZHAVEN VESTNIK in Bulgarian No 44, 29 May 92 pp 2-3

["Text" of Resolutions on Supplementing the Rules on the Organization and Activities of the National Assembly, adopted by the 36th National Assembly on 21 May 1992, signed by Snezhana Botusharova for the chairman of the National Assembly, and stamped with the state seal; for the text of "Rules on the Organization and Activities of the National Assembly," see JPRS-EER-92-045-S, 13 April 1992, pages 10-23]

[Text] On the basis of Item 2 of the additional stipulations of the Rules on the Organization and Activities of the National Assembly, and in connection with Article 101, Paragraphs 1 and 2 of the Constitution of the Republic of Bulgaria, the National Assembly passes the following

RESOLUTION

Creates Article 69a to read as follows:

"**Article 69a.** (1) At the first session of the National Assembly, the chairman of the National Assembly will announce the receipt of an ukase issued by the president of the Republic as per Article 101 of the Constitution, by virtue of which a law passed by the National Assembly is returned to it for a second debate.

"(2) Within three days of its receipt, the National Assembly chairman requests the Legislative Commission to report to the national representatives on the president's ukase and its motivations.

"(3) A law that has been returned for a second debate must be included in the agenda of the National Assembly within 15 days of receipt of the ukase. If the National Assembly is not in session, the time is counted beginning with the first plenary meeting.

"(4) The National Assembly must pass this law a second time with a majority of more than one-half of all national representatives.

"(5) If the returned law fails to obtain the necessary majority and is contested both in terms of its entirety and in principle, it must be reviewed in accordance with the procedure stipulated for debating and passing draft laws.

"(6) If the returned law fails to obtain the necessary majority and if only individual texts are questioned, the procedure of Article 68 is applied and the vote becomes applicable only to the contested texts."

Resolution on Amending and Supplementing the Rules on the Organization and Activities of the National Assembly

In accordance with Item 2 of the additional stipulations in the Rules on the Organization and Activities of the National Assembly, and in connection with Article 70 of the Constitution of the Republic of Bulgaria, the National Assembly

RESOLVES:

Section 1. Article 100, Paragraphs 1 and 2 are deleted. New Paragraphs 1, 2, 3, 4, 5, 6, 7, and 8 are created to read as follows:

"**Article 100.** (1) A national representative may not be detained unless he has committed an exceptionally grave crime. A decision to detain him must be made with the permission of the National Assembly or, if the latter is not in session (Article 30, Paragraph 2), with the permission of its chairman.

"(2) No permission for detention is required if an individual is caught while committing a severe crime. In that case, the National Assembly must be informed immediately, or, if it is not in session (Article 30, Paragraph 2), its chairman must be informed.

"(3) If sufficient data exist confirming that a national representative has committed a severe crime, the prosecutor general must submit a justified request to the National Assembly and, if the National Assembly is not in session, to its chairman, requesting permission to institute criminal a proceeding.

"(4) The request filed by the prosecutor general is considered by the National Assembly, which must issue a ruling within 48 hours of the beginning of its first session. If the national representative so requests and appears before the National Assembly, the National Assembly must hear him out.

"(5) Whenever the National Assembly is not in session (Article 30, Paragraph 2), permission to institute a criminal case against a national representative must be given by its chairman 48 hours after the request submitted by the prosecutor general has been received. The permission issued by the chairman must be submitted for approval by the national representatives at the first session of the National Assembly.

"(6) From the time of the indictment until the criminal prosecution case has been concluded, the national representative may not attend meetings of the National Assembly or its commissions.

"(7) If the criminal indictment ends in a sentence that imposes the penalty of deprivation of freedom for a premeditated crime, or if the execution of the penalty of deprivation of freedom has not been postponed, the National Assembly must pass a resolution on the premature termination of the mandate of the national representative.

"(8) If a request for criminal prosecution of a national representative has been filed, the National Assembly may appoint an investigative commission to study the crime data and report to the National Assembly."

Section 2. Paragraph 3 of Article 100 becomes Article 100a, to read as follows:

"**Article 100a.** National representatives may not be summoned to military gatherings or exercises."

Amendments to Decree on Structure, Activity of Commission for Controlling Sale of Military, Special Equipment

92BA1456A Sofia DURZHAVEN VESTNIK in Bulgarian No 75, 15 Sep 92 pp 1-2

[Text of Council of Ministers Decree No. 172 of 14 Sep 1992 "Amending and Supplementing Standard Acts of the Council of Ministers," signed by Filip Dimitrov, chairman of the Council of Ministers, and Konstantin Mukhovski, chief secretary of the Council of Ministers; for the text of the decree, see JPRS-EER-92-079-S, 23 June 1992, pages 1-8]

[Text] **COUNCIL OF MINISTERS**

Decree No. 172 of 4 September 1992 for Amending and Supplementing Standard Acts of the Council of Ministers

THE COUNCIL OF MINISTERS DECREES THAT:

Section 1. The following changes are made in the statutes concerning the structure and activity of the government commission for monitoring the conditions for the trade in military and special products (DURZHAVEN VESTNIK No. 11 of 1992):

1. In Paragraph 3 of Article 4, the words "Ministry of Defense" are replaced by "Council of Ministers."

2. In Paragraph 1 of Article 7, the words "the list of names" are replaced by "the list."

3. In Article 12, the words "Ministry of Defense" are replaced by "Council of Ministers."

Section 2. The following changes are made in the directive for monitoring the conditions for trading in military and special products (DURZHAVEN VESTNIK No. 11 of 1992).

1. In Item 6 of Article 1, "with military and special purpose" is added after the word "explosives."

2. Paragraph 4 of Article 19 is changed as follows:

"(4) The four copies of the approved license are distributed as follows: one copy for the Secretariat, one copy for the Main Administration for Customs-Sofia, one copy for the importer, and one copy for the Ministry of Internal Affairs."

3. The following changes are made in Article 23:

a) The text of Article 23 becomes Paragraph 1 of Article 23;

b) Item 3 is deleted;

c) A new Paragraph 2 is created;

"(2) The Government Commission may demand of the seller:

"1. After completion of the transaction, a certificate confirming the acceptance of the goods—the subject of the export, under the control of customs or the other competent authorities in the country of the ultimate customer;

"2. Verification and confirmation of the documents for the transaction, published by the competent authorities of the corresponding other countries."

4. In Article 24, the words "of the exporter" are replaced by "of the government commission."

5. Paragraph 2 of Article 26 is changed as follows:

"(2) The four copies of the approved license are distributed as follows: one copy for the Secretariat, one copy for the Main Administration of Customs-Sofia, one copy for the exporter, and one copy for the Ministry of Internal Affairs."

6. In Item 4 of Paragraph 1 of Article 28, "and incomplete" is added after the word "incorrect."

7. The following changes are made in Article 30:

a) New Items 2, 3, 4, and 5 are created:

"2. A copy of the trade agreement with the foreign partner—intermediary, ultimate customer, or producer;

"3. A copy of the contract concluded with the Bulgarian company-producer or customer, according to the request made for export or import;

"4. The copies of the treaties presented have to contain precise data about the amount of the commission remuneration and the contractual differences in the prices of the items;

"5. The names of the banks through which the reimbursements and the forms of payment are made;"

b) Item 2 of Article 30 becomes Item 6.

8. The following changes are made in Article 33:

a) The text of Article 33 becomes Paragraph 1 of Article 33;

b) A new Paragraph 2 is created;

"(2) This does not refer to the presentation of data and other information in accordance with the obligations accepted by the Republic of Bulgaria by virtue of corresponding resolutions of the United Nations."

9. In Paragraph 1 of Article 38, the words "Article 1" are replaced by "Article 31."

Section 3. In Decree No. 90 of the Council of Ministers of 1992 concerning the order according to which the

Council of Ministers decides questions of competence of the General Assembly for private trade associations with state property (DURZHAVEN VESTNIK No. 49 of 1992), Article 3 is changed as follows:

"**Article 3.** Authorizes the ministers and representatives of committees to exercise the rights of the state as holder of the capital in the private trade associations with state property in accordance with the competence of their branch of industry, irrespective of when and from which agency they are transferred, with the exception of the associations in the area of the production and trade in military and special products."

Section 4. The following changes are made in Decree No. 106 of the Council of Ministers of 1992 concerning approval of the tariff for the taxes collected by the Ministry of Defense for issuing licenses and trading in military and special products in accordance with the Law for State Taxes (DURZHAVEN VESTNIK No. 52 of 1992):

1. The name of the decree is changed, as follows:

"Concerning approval of the tariff for the taxes collected in the issuance of licenses and the trading in military and special products in accordance with the Law for State Taxes."

2. Article 1 is changed, as follows:

"**Article 1.** Approves Tariff No. 18 for the taxes that are collected by the government commission for monitoring the conditions for trading in military and special products in the case of issuing licenses and trading in military and special products in accordance with the Law for State Taxes. The taxes are imposed in accordance with a special extrabudgetary account of the Ministry of Finance."

3. The words "in the Ministry of Defense" are deleted in the title of the tariff.

4. In letter "d" of Item 4 of Article 1 of Tariff No. 18, the number "30 000 001" is replaced by "35 000 001."

Amendments to Law on Ownership, Use of Agricultural Land

Article 14 Correction

92BA0960A Sofia DURZHAVEN VESTNIK in Bulgarian No 20, 12 Mar 91 p 16

[Correction of Article 14, Paragraph 3 of the Law on the Ownership and Use of Agricultural Land (DURZHAVEN VESTNIK No. 17, 1991); for the text of the law, see FBIS-EEU-91-048, 12 March 1991, pages 5-10]

[Text] The words "within a period of six months" should read "within a period of one month."

Article 10 Changed

92BA0960B Sofia DURZHAVEN VESTNIK in Bulgarian No 74, 10 Sep 91 pp 2-3

[Change of and addition to the Law on the Ownership and Use of Agricultural Land, adopted by the Grand National Assembly on 15 August 1991; for the text of the law, see FBIS-EEU-91-048, 12 March 1991, pages 5-10.]

[Text]

Ukase No. 265

On the basis of Article 98, Section 4 of the Constitution of the Republic of Bulgaria, I hereby decree that the following Law on a Change in and Addition to the Law on the Ownership and Use of Agricultural Land, adopted by the Grand National Assembly on 15 August 1991, shall be published in DURZHAVEN VESTNIK.

Issued in Sofia on 27 August 1991 and sealed with the Seal of State.

President of the Republic: Zhelyu Zhelev

Law on Change of and Addition to the Law on the Ownership and Use of Agricultural Land (published in DURZHAVEN VESTNIK No. 17, 1991; corrected in No. 20, 1991)

Single paragraph. A new Article 10a, with the following content, is hereby created:

"Article 10a. Bulgarian citizens whose lands have been used to liquidate a state debt in conformity with the Agreement on Settlement of Pending Financial Questions and Promotion of Economic Cooperation Between the People's Republic of Bulgaria and the Kingdom of Greece, dated 3 November 1964 (DURZHAVEN VESTNIK No. 87, 1964), shall be compensated, under the procedure and terms of this law, with land from the state or township land fund in amounts in accordance with Article 6 or with the monetary value thereof if they have not hitherto been otherwise compensated."

The law was adopted by the Grand National Assembly on 15 August 1991 and sealed with the Seal of State.

Chairman of the Grand National Assembly:
Nikolay Todorov

Article 11 Changed

92BA0960C Sofia DURZHAVEN VESTNIK in Bulgarian No 18, 2 Mar 92 p 1

[Ukase No. 52, issued and signed by President of the Republic Zhelyu Zhelev, decreeing publication in DURZHAVEN VESTNIK of a change in The Law on the Ownership and Use of Agricultural Land, followed by the law making the change, signed by Chairman of the National Assembly Stefan Savov; for the text of the law, see FBIS-EEU-91-048, 12 March 1991, pages 5-10]

[Text]

Ukase No. 52

On the basis of Article 98, Section 4 of the Constitution of the Republic of Bulgaria, I hereby decree that there be published in DURZHAVEN VESTNIK the Law on a Change in the Law on the Ownership and Use of Agricultural Land, adopted by the 36th National Assembly on 27 February 1992.

Issued in Sofia on 27 February 1992 and sealed with the Seal of State.

Law on a Change in the Law on the Ownership and Use of Agricultural Land (published in DURZHAVEN VESTNIK No. 17, 1991; corrected in No. 20, 1991; changed and added to in No. 74, 1991)

Paragraph 1. In Article 11, Paragraph 1, the words "within one year" are replaced with "within 15 months."

Paragraph 2. This law shall enter into force from the date of its publication in DURZHAVEN VESTNIK.

More Amendments

92BA0960A Sofia DURZHAVEN VESTNIK in Bulgarian No 28, 3 Apr 92 pp 1-6

[Ukase No. 89, signed by President of the Republic Zhelyu Zhelev, decreeing publication in DURZHAVEN VESTNIK of the Law on Changes in and Additions to the Law on the Ownership and Use of Agricultural Land, adopted by the 36th National Assembly on 20 March 1992 and signed by Chairman of the National Assembly Stefan Savov; for the text of the Law on Ownership and Use of Agricultural Land, see FBIS-EEU-91-048, 12 March 1991, pages 5-10]

[Text]

Ukase No. 89

On the basis of Article 98, Section 4 of the Constitution of the Republic of Bulgaria, I hereby decree that there be published in DURZHAVEN VESTNIK the Law on Changes in and Additions to the Law on the Ownership and Use of Agricultural Land, adopted by the 36th National Assembly on 20 March 1992.

Issued in Sofia on 2 April 1992 and sealed with the Seal of State.

Law on Changes in and Additions to the Law on the Ownership and Use of Agricultural Land (published in DURZHAVEN VESTNIK No. 17, 1991; corrected in No. 20, 1991; changed and added to in No. 74, 1991 and No. 18, 1992)

Paragraph 1. In Article 2, Section 4 is changed as follows:

"4. Is not occupied by open cast mines or quarries or by energy, irrigation, transportation or other structures for public use, nor does any part adjoin such structures."

Paragraph 2. In Article 3, the following changes are made:

1. Paragraph 1 is changed as follows:

"(1) Agricultural land may be the property of citizens, of the state, of townships, and of juridical persons."

2. Paragraph 3 is changed as follows:

"(3) Foreign states, foreign juridical persons, and juridical persons with over 50-percent foreign participation may not possess an ownership right to agricultural land."

3. Paragraph 4 is changed as follows:

"(4) Foreign citizens may acquire agricultural land only through lawful inheritance. They must, within three years from discovery of the inheritance, transfer it to persons as per Paragraph 1."

4. Paragraph 5 is changed as follows:

"(5) Foreign juridical persons and foreign citizens may acquire a use right to agricultural land or other restricted real rights to land under conditions and procedures specified by law."

Paragraph 3. In Article 4, the following changes are made:

1. Paragraph 1 is rescinded.

2. Paragraph 2 becomes Paragraph 1 and is changed as follows:

"(1) The owner freely chooses the method of using the agricultural land in accordance with its designated purpose. In using the land, he must not harm the soil and must observe sanitary, public health, and fire and ecological regulations."

3. Paragraph 3 becomes Paragraph 2.

4. Paragraph 4 becomes Paragraph 3 and is changed as follows:

"(4) The expropriation of agricultural land for important state and township needs shall be effected in conformance with the Law on Ownership and the Law on the Protection of Arable Lands and Pastures, following a ruling of the Minister of Agriculture."

5. Paragraph 5 becomes Paragraph 4 and is changed as follows:

"(4) Landowners and users must preserve the archaeological objects, cultural monuments, and land-reclamation, electric-power, and other installations and structures existing on their land, and must not hinder the other owners, users, and officials from using and maintaining the same."

6. A Paragraph 5 is created with the following content:

"(5) The incorporation of agricultural land within the building limits of inhabited localities shall be effected in

accordance with the Law on Arable Land and Pastures and the Law on Territorial and Settlement Organization."

Paragraph 4. Article 5 is rescinded.

Paragraph 5. Article 6 is rescinded.

Paragraph 6. Article 8 is changed as follows:

"**Article 8.** Citizens may join together into cooperatives or associations for the joint cultivation of their agricultural land. In these cases, they may retain ownership of their land within real boundaries, as well."

Paragraph 7. Article 9 is rescinded.

Paragraph 8. In Article 10, the following changes are made:

1. Paragraph 1 is changed as follows:

"(1) The rights of the owners or their heirs to agricultural land possessed before the formation of labor cooperative farms or state farms and incorporated into them or into other agricultural organizations formed on the basis thereof are hereby restored."

2. Paragraph 2 is changed as follows:

"(2) The rights of owners to agricultural land nationalized under the now-rescinded Article 12 of the Law on Citizens' Ownership shall be restored on return of the monetary compensation received."

3. Paragraph 6 becomes Paragraph 3 and is changed as follows:

"(3) The rights of owners who surrendered their land without compensation to a labor cooperative farm or to the state are hereby restored."

4. Paragraph 3 becomes Paragraph 4.

5. Paragraph 5 is rescinded and a new Paragraph 5 is created, with the following content:

"(5) The rights of the owners of agricultural lands planted to forest or with volunteer forest growth, as well as to land incorporated without compensation into the state forest preserve, are hereby restored, with the exception of tree nurseries and forest shelter belts."

6. A new Paragraph 6 is created, with the following content:

"(6) The rights of owners of farmsteads, operated by a labor cooperative farm, by a state farm, or by other agricultural organizations formed on the basis thereof as farms in delisted or abandoned settlements (villages and hamlets), are hereby restored."

7. Paragraph 7 is rescinded, and a new Paragraph 7 is created, with the following content:

"(7) The rights of the owners of land that has been incorporated into labor cooperative farms, state farms, or other agricultural organizations formed on the basis thereof and that is situated within the building limits of inhabited localities are hereby restored unless buildings have legally been constructed by third parties or unless a construction right has been granted and construction of a legally authorized building has been started."

8. Paragraph 8 is rescinded.

9. Paragraph 4 becomes Paragraph 8 and is changed as follows:

"(8) The rights of owners to agricultural land are hereby restored up to the amounts specified under the rescinded Article 8, Paragraph 1 of the Law on Labor Land Ownership of 9 April 1946."

10. A Paragraph 9 is created, with the following content:

"(9) On request of the owners, the ownership right to land, nationalized as forests that has subsequently been converted into agricultural land, is restored."

11. A Paragraph 10 is created, with the following content:

"(10) Land in ecologically polluted regions shall be returned to its owners, with ecological restoration costs borne by the state. The Council of Ministers shall determine the ecologically polluted agricultural land, as well as the procedure and method for its ecological restoration."

Paragraph 9. A new Article 10a is created, with the following content:

"**Article 10a.** (1) The restoration of ownership shall be effected within the real boundaries wherever they exist or can be ascertained.

"(2) The ownership of land whose boundaries do not exist shall be restored within real boundaries by ownership of an equivalent quantity of land in the territory of the same inhabited locality in question or in a neighboring territory and, with the consent of the owners, in another territory on completion of the land division and consolidation of the properties therein into larger units.

"(3) Foreign citizens whose rights of ownership are restored under the procedure of this article must, within a period of three years, transfer it to persons as per Article 3, Paragraph 1."

Paragraph 10. An Article 10b is created, with the following content:

"**Article 10b.** (1) The owners of land that has been incorporated into labor cooperative farms, state farms, or other agricultural organizations formed on the basis thereof, and which land has become built up or, on it, activities are conducted that do not permit restoration of ownership, shall, on their request, be compensated with

equivalent land from the state or township land fund or under conditions and procedure specified by law.

"(2) Owners whose land has been nationalized in accordance with the rescinded Article 12 of the Law on Citizens' Ownership and whose ownership cannot be restored due to the circumstances indicated in the preceding paragraph shall be compensated under the conditions and procedure specified by law.

"(3) Owners whose land has been expropriated under the rescinded Article 8 of the Law on Labor Land Ownership of 9 April 1946 and who have not received compensation in conformity with Article 14 and the following of the same law shall be compensated under conditions and procedure specified by law."

Paragraph 11. Article 10a becomes Article 10c and is changed as follows:

"**Article 10c.** (1) The following persons shall be compensated under the conditions and procedure specified by law:

"1. Bulgarian citizens whose agricultural land has been used to liquidate state debt pursuant to the Agreement on Settlement of Pending Financial Questions and Promotion of Economic Cooperation between the People's Republic of Bulgaria and the Kingdom of Greece of 3 November 1963 (DURZHAVEN VESTNIK, No. 87, 1964);

"2. Persons who received a right to monetary compensation under Chapter III of the Law on Settlement of Ownership of Real Estate in Southern Dobruja (published in DURZHAVEN VESTNIK No. 15, 1942; rescinded in IZVESTIYA No. 16, 1951).

"(2) Persons under the preceding paragraph shall submit applications to the Ministry of Agriculture."

Paragraph 12. In Article 11, Paragraph 2 is changed as follows:

"(2) Persons who have failed to submit applications in time under the preceding paragraph shall establish their right to restoration of the ownership of agricultural land by lodging a claim against the appropriate township. On the basis of the decision handed down, the township land commission, observing the requirements of this law, shall determine the land, the ownership of which is to be restored."

Paragraph 13. In Article 12, the following changes are made:

1. Paragraph 2 is rescinded.

2. Paragraph 3 becomes Paragraph 2.

3. New Paragraphs 3 and 4 are created, with the following content:

"(3) In the absence of written proof, the applicant may append to his application a declaration with his notarized signature, whereby he declares his ownership right. For false data, the affiant shall bear criminal liability under Article 313 of the Penal Code.

"(4) Any interested party may by judicial procedure establish his right to the property restored under the procedure of the preceding paragraph and seek compensation for the detriment suffered and the benefits lost."

Paragraph 14. In Article 13, Paragraphs 2 and 3 are rescinded.

Paragraph 15. In Article 14, the following changes are made:

1. Paragraph 1 is changed as follows:

"(1) The township land commission shall render a decision within a period of one month from the receipt of the application."

2. Paragraph 3 is rescinded, and a new Paragraph 3, with the following content, is created:

"(3) Refusals of the commission to render an opinion may be appealed within a period of 14 days to the regional court. The appeal is to be submitted through the township land commission. The court shall decide the dispute on its merits."

3. A new Paragraph 4 is created, with the following content:

"(4) In a dispute regarding a material right, the interested parties shall vindicate their rights by judicial procedure."

4. Paragraph 4 becomes Paragraph 5.

Paragraph 16. In Article 15, the following changes are made:

1. In Paragraph 1, "people's" [*naroden*] is deleted.

2. Paragraph 2 is changed as follows:

"(2) Whenever the township land commission ascertains that the amount of agricultural land in the territory of the given inhabited locality has been reduced, the land subject to restoration shall be reduced correspondingly, with the exception of land whose former real boundaries exist or are reconstructible. Owners shall be compensated, on their request, for the difference between the land paid in and the land restored by the state or township land fund with equivalent land or under the conditions and procedure specified by law."

3. Paragraph 3, with the following content, is created:

"(3) Juridical persons who have produced or keep and maintain cadastral topographic and geodetic information about the territory of inhabited localities must make it available to state authorities within 10 days of request.

The information is to be made available free of charge except for the actual expenses incurred in making a copy of the documents."

Paragraph 17. In Article 17, the following changes are made:

1. Paragraph 1 is rescinded and a new Paragraph 1, with the following content, is created:

"(1) The township land commission shall by decision restore ownership of agricultrual land in its former boundaries where they exist or are reconstructible, and this is reflected in the cadastre."

2. Paragraph 2 is rescinded, and a new Paragraph 2, with the following content, is created:

"(2) When conditions according with the preceding paragraph do not obtain, the township land commission shall restore ownership of agricultural land in new boundaries, equivalent in amount and quality or reduced under the procedure of Article 15 in conformity with the land-distribution plan worked out in accordance with the principles of land consolidation."

3. A new Paragraph 3, with the following content, is created:

"(3) The procedure for drawing up the land-distribution plan and the requirements to be met by it shall be defined by the regulations for the application of this law."

4. Paragraph 3 becomes Paragraph 4.

5. Paragraph 5, with the following content, is created:

"(5) The owners of agricultural land whose rights are not restored in accordance with Paragraph 1 shall have the right to be put into possession of agricultural land before the drawing up of the land-distribution plan, up to the amounts of land that should be restored to them."

Paragraph 18. Article 18 is rescinded.

Paragraph 19. In Article 21, Paragraph 1 is changed as follows:

"(1) Shall be awarded land in the following order of priority."

Paragraph 20. In Article 24, the following changes are made:

1. Paragraph 2 is rescinded, and a new Paragraph 2, with the following content, is created:

"(2) The state's right of ownership of agricultural land that has been granted to scientific, scientific-production, and educational establishments, to prisons, to seed-production and breeding farms, to forest tree nurseries, and to hunting grounds shall, to the extent necessary for their activity, be preserved in an amount corresponding to their basic activity, determined by the Ministry of Agriculture after soliciting the opinion of the interested departments."

2. A new Paragraph 3, with the following content, is created:

"(3) The state's right of ownership of agricultural land, granted to the Ministry of Defense for state-defense-related military purposes, shall be retained in places and amounts determined by the Council of Ministers."

3. Paragraph 3 becomes Paragraph 4.

4. Paragraph 4 becomes Paragraph 5 and is changed as follows:

"(5) The owners of the properties under Paragraphs 2, 3, and 4 shall be compensated in accordance with the procedure of Article 10b, Paragraph 1."

Paragraph 21. Article 26 is changed as follows:

"**Article 26.** The Ministry of Agriculture and the township land commissions may grant free of charge to citizens from the state or township land fund the use right to low-productivity land and to land in depopulated regions, determined by the Council of Ministers. Persons who have cultivated the land granted to them for more than 10 years may acquire an ownership right by decision of the township council, but, when an ownership right to land is acquired from the state land fund, the advance consent of the Ministry of Finance is necessary."

Paragraph 22. In Article 27, the following changes are made:

1. Paragraph 1 is changed as follows:

"(1) The owners of land incorporated into labor cooperative farms, the members of labor cooperative farms or of other agricultural organizations based thereon shall have a right to shares of the aforementioned organizations' property. The amount of the shares shall be determined on the basis of their contribution at the time of its acquisition—land contributed, length of labor service, unpaid equipment fees. The apportionment thereof shall be effected under the conditions and procedure indicated in the regulations for the application of this law, with equal weight given to land contributed and length of labor service after subtraction of unpaid equipment fees. If a legal claimant contributed no land or fixed assets, his labor participation shall be taken into consideration whenever it is not less than five years."

2. Paragraph 4 is rescinded.

Paragraph 23. In Article 28, the following changes are made:

1. Paragraph 1 is changed as follows:

"(1) There shall be restored to labor cooperative farms the right of ownership of the property and money that were confiscated from them or from the state farms reorganized on the basis thereof or that were transferred to other organizations."

2. Paragraph 2 is rescinded, and a new Paragraph 2, with the following content, is created:

"(2) Whenever this property constitutes an integral part of existing assets and the item has not changed its purpose from its creation to date, it shall be restored to the owner, who shall pay the difference in value."

3. Paragraphs 4 and 5 are rescinded.

Paragraph 24. In Article 29, Paragraph 1 is changed as follows:

"(1) The ownership right to agricultural land taken away from the Bulgarian Orthodox Church and other religious communities, from cooperatives, and from other organizations shall be restored on their request unless, after the expropriation thereof, buildings were legally erected thereon that have no agricultural purpose, or citizens were settled thereon. In these cases, the organizations in question shall be granted equivalent property from the state or township land fund. Absent such land, the owners shall be compensated under the conditions and procedure specified by law."

Paragraph 25. The title of Chapter IV is changed as follows: "LAND OWNERSHIP AGENCIES."

Paragraph 26. Article 31 is changed as follows:

"Article 31. Land ownership agencies are the Ministry of Agriculture and the Township Land Commissions."

Paragraph 27. Article 32 is rescinded.

Paragraph 28. In Article 33, the following changes are made:

1. Paragraph 1 is changed as follows:

"(1) The township land commissions shall be formed in the township councils. Its members shall be appointed and dismissed by the minister of agriculture."

2. Paragraph 2 is changed as follows:

"(2) On the proposal of the township council, land commissions may be formed in inhabited localities that have the same competence. The appointment and dismissal of its members shall be effected in accordance with the procedure of the preceding paragraph."

Paragraph 29. Section 1 of the supplemental provisions is rescinded.

Paragraph 30. Section 2 of the supplemental provisions is rescinded.

Paragraph 31. The title "Supplemental Provisions" is deleted.

Paragraph 32. Section 3 of the Transitional and Final Provisions is rescinded, and a new section 3, with the following content, is created:

"**Paragraph 3.** Disputes over the use of land from the state and township land fund, as well as disputes over boundaries between territories, shall be settled in accordance with the general claim procedure."

Paragraph 33. Section 4 of the Transitional and Final Provisions is rescinded, and a new Section 4, with the following content, is created:

"**Paragraph 4.** The use right to agricultural land granted to citizens by virtue of acts of the Presidium of the National Assembly, of the State Council, and of the Council of Ministers is terminated."

Paragraph 34. In the Transitional and Final Provisions, new Paragraphs 4a, 4b, 4c, 4d, 4e, 4f, 4g, 4h, and 4i, with the following content, are created:

"**Paragraph 4a.** (1) Citizens who have been granted a use right to land in accordance with the preceding paragraph shall acquire an ownership right to the same when they have constructed a building on the land if, by 31 December 1992, they pay the owner for the land through the township council at prices fixed by the Council of Ministers in keeping with the market prices of the region in question.

"(2) When the building occupies a built-up area over 35 square meters and is higher than one story, the citizen who acquires an ownership right by virtue of this law shall pay the state a progressively increasing fee in conformity with the extended built-up part of the structure in an amount fixed by the Council of Ministers. This fee shall not be paid if the building that has been erected was, as of 1 January 1992, the sole domicile of the owner's family, including the spouses and their minor children.

"(3) When the owner is not paid for the value of the land under the conditions and procedure of Paragraph 1, he shall acquire ownership of the building if he pays for it to the township council, to the user who erected the building, or to his heirs, by 30 June 1993, at a price set by the Council of Ministers, consistent with the market price for the region in question.

"(4) When the value of the land and building are not paid, the user who erected the building acquires the ownership right to it only, apart from the site, by paying the fee in accordance with Paragraph 2.

"(5) When the user's right is established by the documents indicated in Paragraph 4 to township or state land, the ownership right of which has not been restored to citizens, the user shall acquire an ownership right on paying through the township council the value of the land at prices set by the Council of Ministers under the procedure of Paragraph 1, within a period of six months

after the setting of the prices or the contribution to the state or township land fund land of his own of equivalent quantity and quality.

"**Paragraph 4b.** (1) The ownership right of citizens to undeveloped agricultural land, to which a use right has been granted in conformity with the documents indicated in Paragraph 4, shall be restored unless it is a vineyard or an orchard, or is planted to essential-oil crops or the agricultural land is the only land of the family of the user who is a permanent resident in the inhabited locality in whose territory the property is located. In these cases, the user cannot acquire an ownership right if the land is situated less than 30 kilometers away from cities with a population of over 300,000 inhabitants or less than 10 kilometers away from the coastal strip.

"(2) When the ownership of land that has been let for use is not restored in conformity with the previous paragraph, the user may acquire ownership of it if he pays the owner for it through the township council by 31 December 1992, at prices set in conformity with Paragraph 4a, Paragraph 1.

"(3) When the user acquires the ownership right to land in conformity with Paragraph 4a and Paragraph 1 of this section, instead of paying for the land, he can grant to the owner of the land that he received from the latter land of his own, the ownership of which has been restored to him (the user), if the owner agrees to this.

"**Paragraph 4c.** Persons who have made improvements to the properties that are to be returned have the rights under Article 72 of the Law on Ownership.

"**Paragraph 4d.** (1) The properties of persons who are using them without authority are subject to confiscation.

"(2) The confiscation shall be effected on the basis of an order issued by the mayor of the township on the motion of the chairman of the township land commission. The order is appealable within a period of seven days under the procedure of the Law on Administrative Proceedings.

"(3) The persons removed from the use of land under this procedure shall have no lawful claim for the expenditures they have made on the property.

"**Paragraph 4e.** Citizens who have been granted a use right to two or more properties may acquire an ownership right under the conditions of Paragraphs 4a and b to only one of them of their choosing by making a declaration thereof to the township council within the time limit as per Paragraph 4b, Paragraph 2.

"**Paragraph 4f.** Citizens whose ownership of agricultural land has been restored by virtue of this law may acquire an ownership right to the property granted to them for their use under the conditions of Paragraphs 4a and b. The amount of these properties shall be subtracted from the land subject to restoration under the conditions and procedure specified by the Ministry of Agriculture. The subtracted amount shall be paid by the fund, in accordance with Paragraph 4g, to the owner to whom the ownership right is restored, while the land shall be incorporated into the township land fund for distribution.

"**Paragraph 4g.** (1) The revenues from the application of the law shall go into the central republican budget, with the exception of revenues under Paragraphs 4a and b.

"(2) Moneys under Paragraphs 4a and 4b shall be collected in a special off-budget account of the township council and used only to compensate the former owners and users.

"**Paragraph 4h.** The citizens whose use right becomes an ownership right in conformity with Paragraph 4a, Paragraph 1 shall acquire ownership at maximum of 600 square meters, and those in conformity with Paragraph 4b, Paragraph 1, ownership at maximum of 1,000 square meters. The right to the remaining land shall be restored to its owner.

"**Paragraph 4i.** (1) The owners of the land or their heirs may bring suit for restoration of their ownership right when a use right to it has been granted under Paragraph 4 and the following or the land has been transferred other than by the owner thereof if the granting of this right or the acquisition of the property has taken place in violation of prescriptive enactments, as well as through the use of official or party position or through abuse of power. The suit shall be brought within one year from the entry into force of this law and the judicial proceedings shall be exempt from any state fee.

"(2) Landowners or their heirs in cases of Article 10, Paragraph 7 of this law shall have the right under the preceding paragraph.

"(3) When a building has been erected on the land in cases under the preceding paragraphs, it shall become the property of the state. The owner of the land shall have the right to purchase it within one year from the entry into force of the decisions under the preceding paragraphs or to receive the value of the land at prices fixed under the procedure of Paragraph 4a."

Paragraph 35. Section 7 of the transitional and concluding provisions is rescinded, and a new section 7, with the following content, is created:

"**Paragraph 7.** (1) Agricultural producers that are natural persons shall be exempt from a tax on gross income from plant and animal production for a period of five years from their taking possession of the land.

"(2) Rental income from agricultural land shall be excluded from the amount subject to gross income tax.

"(3) Natural persons shall be exempt from a tax on the buildings on agricultural land for a period of five years from coming into possession thereof.

"(4) Young families shall be exempt from a gross income tax on receipts from plant and animal production for a period of eight years from the entry into force of this law."

Paragraph 36. In the transitional and concluding provisions, new Sections 8, 9, 10, 11, 12, 13, 14, and 15, with the following content, are created:

"**Paragraph 8.** The heirs of persons whose ownership of agricultural land is restored under this law shall be exempt from payment of an inheritance tax.

"**Paragraph 9.** Agricultural land, the ownership right to which has been restored under the procedure of Article 10 of this law and that constitutes forests in the sense of the Law on Forests, shall be governed by the regulations of the Law on Forests and the Law on Hunting and Trapping.

"**Paragraph 10.** Agricultural land, the ownership right to which has been restored under this law, which constitutes forests in the sense of the Law on Forests and has the status of forest preserves, can be operated by the owners as forest preserves or, on request of the owners, be replaced with other agricultural land from the land fund of the inhabited locality in question or in neighboring territory, and, with the consent of the owners, in other territory also.

"**Paragraph 11.** All transactions entered into by labor cooperative farms after 1 January 1990, disposing of immovable or movable property, with the exception of agricultural products and other things intended for the market, are hereby declared null and void.

"**Paragraph 12.** The existing labor cooperative farms and agricultural cooperatives, formed by virtue of Paragraph 7 of the Transitional and Concluding Provisions of the Law on Cooperatives, are hereby terminated. Terminated hereby are all existing organizations and firms registered by virtue of Ukase No. 922 on Land Use and Performance of Agricultural Activity (published in DURZHAVEN VESTNIK No. 39, 1989; changed in No. 10, 1990; rescinded in No. 63, 1991) and Ukase No. 56 on Economic Activity With Property and With Share Participation of Agricultural Brigades, KZS's [cooperative farms], TKZS's [labor cooperative farms], MTS's [vehicle-tractor stations], APK's [agro-industrial complexes], and agricultural institutes. Also terminated are the cooperatives registered under the Law on Cooperatives when the provision of Article 33, Paragraph 2 of the same law is not observed and the contribution of agricultural land is not provided for according to their charter.

"**Paragraph 13.** (1) Within one month from the entry into force of this law, the oblast managers shall appoint councils, consisting of a chairman and three to five members, for the liquidation of the organizations as per Paragraph 12.

"(2) With effect from the appointment of the liquidation councils, the activity of the general meetings, of the boards of managers, control councils, chairmen, and other officials of the organizations shall cease as per Paragraph 12.

"(3) The liquidation council shall do the following:

"1. Organize, manage, and administer the activity of the organization until its termination, and the chairman of the liquidation council shall have the powers and duties of the organization's head;

"2. Determine the shares pursuant to Article 27, Paragraph 1 of this law;

"3. Perform other liquidation activities prescribed by the regulations for the application of this law.

"(4) The juridical relations of labor with the chairmen of the organizations under Paragraph 12 and their deputies shall be terminated by the oblast managers with effect from the appointment of the liquidation councils.

"**Paragraph 14.** (1) The obligations, originating before 1 January 1992, that the organizations terminated as per Paragraph 12 owed to banks with state participation, shall be assumed by the state after collection of claims from third parties only if these obligations cannot be paid in full from the property of the organizations under Paragraph 12 and after the conviction and the entry into force of the judgment against the persons materially responsible for the damages caused to the above-indicated organizations.

"(2) Attachments may not be issued against the immovable and movable property of the terminated labor cooperative farms that is necessary for their activities.

"(3) Cooperatives terminated under Paragraph 12 that were registered under the Law on Cooperatives before the entry into force of this law shall be exempt from registration fees if they register again.

"**Paragraph 15.** (1) Within two years from the restoration of ownership, the amount of land possessed and acquired through lawful transactions may not exceed 300 decares per family.

"(2) The limitation regarding the amount of land possessed in accordance with the preceding paragraph shall not apply to properties acquired through inheritance."

Paragraph 37. Section 8 of the Transitional and Concluding Provisions becomes Paragraph 16.

Paragraph 38. Section 9 of the Transitional and Concluding Provisions becomes Paragraph 17.

Paragraph 39. Section 10 of the Transitional and Concluding Provisions becomes Paragraph 18.

Transitional and Concluding Provisions

Paragraph 40. At the end of Article 7 of the Law on the Restoration of Ownership of Nationalized Immovable Property, the following sentence is added: "Proceedings in these cases shall be free of charge."

Paragraph 41. The Council of Ministers shall, within a period of one month from the entry into force of this law, rescind the expropriations executed for state needs when the expropriated agricultural land is not used for that purpose or the state need has lapsed.

Decree Defining Functions of Foreign Affairs Ministry

92BA0746A Sofia DURZHAVEN VESTNIK in Bulgarian No 24, 24 Mar 92 pp 1-2

[Text of Decree Defining the Basic Functions and Tasks of the Ministry of Foreign Affairs, adopted by the Council of Ministers on 20 March 1992 and signed by Nikolay Vasilev, for the prime minister, and Konstantin Mukhovski, chief secretary of the Council of Ministers]

[Text] **COUNCIL OF MINISTERS**
DECREE NO. 43
OF 20 MARCH 1992

Defining the Basic Functions and Tasks of the Ministry of Foreign Affairs

THE COUNCIL OF MINISTERS
DECREES:

Article 1. The present decree defines the basic functions and tasks of the Ministry of Foreign Affairs as per the addendum.

Article 2. Sets the total number of personnel in the central administration of the Ministry of Foreign Affairs at 580, including four deputy ministers and one general secretary.

Article 3. (1) Establishes a reserve ministry personnel of the Ministry of Foreign Affairs of 40 people for temporary duty for no more than two months for personnel returning from postings abroad.

(2) The appointments as per Paragraph 1 will be selective, taking into consideration the qualifications and rating of work done abroad by the personnel. For the duration of such appointments, the officials will be assigned specific tasks in accordance with their specializations and qualifications.

(3) No appointments for the reserve personnel may be made other than in the cases stipulated in Paragraph 1.

Article 4. The minister of foreign affairs shall:

1. Make changes in the structure of the ministry and establish structural units to perform the new functions and assignments;

2. Close down the structural units in the central administration of the ministry, the activities of which are duplicated and made unnecessary or carried out by the newly created structural units as a result of changed functions; labor relations with their personnel must be settled in accordance with Article 328, Paragraph 1, Item 1 of the Labor Code, which deals with partial liquidation;

3. Issue a regulation on the structure and activities of the Ministry of Foreign Affairs.

Transitional and Concluding Stipulations

Section 1. The following Council of Ministers acts are hereby rescinded:

1. Decree No. 43 of 1967 (unpublished), concerning the tasks and work of the Unified State Protocol, supplemented by Order No. 148 of 1972 (unpublished).

2. Decree No. 48 of 1982, amending the Regulation on the Labor-Legal Status of Officials Posted Abroad, adopted on the basis of Council of Ministers Letter No. 60 of 1980; amended and supplemented by Decrees Nos. 13, 41, and 54 of 1981; Nos. 23 and 48 of 1982; No. 54 of 1984 (unpublished); No. 96 of 1990 (DURZHAVEN VESTNIK No. 75, 1990); No. 50 of 1991 (DURZHAVEN VESTNIK No. 27, 1991); No. 86 of 1991 (DURZHAVEN VESTNIK No. 40, 1991) and No. 125 of 1991 (DURZHAVEN VESTNIK No. 59, 1991).

3. Decree No. 51 of 1991, defining the basic functions of the Ministry of Foreign Affairs (published in DURZHAVEN VESTNIK No. 28, 1991; amended and supplemented in Nos. 45, 92, and 103, 1991).

4. Decision No. 110, 1991 (unpublished).

Section 2. Decree No. 241 of the Council of Ministers of 1991 (DURZHAVEN VESTNIK No. 2, 1992) is amended to read as follows:

1. Article 2 is deleted.

2. Article 3 becomes Article 2.

Section 3. Article 2 of Decree No. 26 of the Council of Ministers of 1992, on terminating the activities of the Diplomatic Service State Firm (DURZHAVEN VESTNIK No. 13, 1992) is subject to the following amendments and supplements:

1. A new sentence is added at the end of Paragraph 1, as follows:

"The bureau in charge of providing services to the diplomatic corps is a juridical person with the status of administration of the Ministry of Foreign Affairs."

2. A new Paragraph 3 is added, to read as follows:

"(3) Labor relations with the personnel of the Diplomatic Service State Firm, now closed, shall be terminated in accordance with Article 328, Paragraph 1, Item 1 of the Labor Code—total liquidation."

Section 4. The present decree shall be enacted as of its day of publication in DURZHAVEN VESTNIK, with the exception of Article 2, which will become effective as of 1 April 1992.

Appendix to Article 1

Basic Functions and Tasks of the Ministry of Foreign Affairs

Article 1. The Ministry of Foreign Affairs, subsequently referred to as the "ministry," will be directly in charge of exercising the foreign policy of the Republic of Bulgaria by:

1. Representing the Republic of Bulgaria and defending its rights and national interests in international relations;

2. Engaging in interdepartmental coordination in the area of foreign relations and assisting other departments and organizations in the conduct of their international activities.

Article 2. In the course of exercising its main functions as per Article 1, the ministry conducts its functions by:

1. Maintaining diplomatic and consular relations with other states and ties to international governmental organizations;

2. Drafting projects for and concluding intergovernmental and political treaties, consular conventions, visa and cultural agreements, and other international agreements within its area of competence, including the area of economic relations, and in organizing the implementation of signed treaties;

3. Participating in the talks conducted by other departments within the range of their competence on the conclusion of bilateral intergovernmental and international treaties, including double taxation, and encouraging and reciprocally protecting investments;

4. Preserving the original texts of bilateral and certified copies of multilateral international treaties to which the Republic of Bulgaria is a party, and registering with the United Nations the international treaties concluded by the Bulgarian State;

5. Formulating and exercising the foreign economic policy of the Republic of Bulgaria in the international economic organizations within the system of the United Nations and its agencies;

6. Preparing and, in coordination with the competent ministries, conducting talks on the affiliation of the Republic of Bulgaria with multilateral groups and organizations, including associations within the European communities;

7. Studying the foreign economic policy of individual countries, areas, and international economic groups;

8. Organizing and coordinating the work of the Bulgarian side in bilateral intergovernmental commissions on economic, scientific and technical, and commercial cooperation with other countries and international economic groups;

9. Protecting the rights and interests of Bulgarian citizens and juridical persons abroad;

10. Observing and analyzing processes and development trends of Bulgarian colonies abroad and helping to defend the rights and interests of our compatriots abroad;

11. Maintaining official relations with the diplomatic corps in the Republic of Bulgaria and performing the required protocol activities and assisting in preparations for official visits by Bulgarian state delegations to foreign countries;

12. Organizing services to the diplomatic corps in the Republic of Bulgaria;

13. Remaining in constant contact with the National Assembly, the political entities, the public, and the information media, and ensuring the necessary openness in foreign policy activities;

14. Guiding the work of diplomatic and consular missions of the Republic of Bulgaria and its missions in international governmental organizations, including the work of trade and economic councillors;

15. Organizing the selection of diplomatic cadres and the enhancement of their professional skills;

16. On the intergovernmental level, coordinating cooperation in the struggle against international terrorism and illegal trade in narcotics and armaments.

Article 3. The ministry may also perform other duties as assigned to it in accordance with stipulated procedures and the Constitution.

Decree on Agencies for Defense Mobilization Training

92BA1019A Sofia DURZHAVEN VESTNIK in Bulgarian No 43, 26 May 92 pp 2-5

[Text of Council of Ministers Decree No. 80, "The Staff and Functions of the Agencies for Defense Mobilization Training in the Ministries, Other Departments, and the State Administration," dated 11 May 1992 and signed by Filip Dimitrov, prime minister, and Konstantin Mukhovski, secretary-general of the Council of Ministers]

[Text]

THE COUNCIL OF MINISTERS
DECREES:

Article 1. (1) An agency (department, office, administration) or individual civil servant (expert, chief specialist)

functions for defense mobilization training in accordance with Appendix No. 1 in order to assist the leadership of the ministries, other departments, and the state administration on problems of defense in them.

(2) The head of the agency (civil servant) for defense mobilization training is directly subordinate to the head of the department.

Article 2. He determines the basic functional duties of the agencies for defense mobilization training in the ministries, the other departments, and the state administration in accordance with Appendix No. 2.

Article 3. Officers in active military service may also be named to other departments and territorial units (except those indicated in Appendix No. 1) at the proposal of the respective leaders after the agreement of the Minister of Defense.

Article 4. (1) The Ministry of Defense puts the officers in the agencies for defense mobilization training at the disposal of the departments and the territorial units by order of the Minister of Defense. The "Training of the Country for Defense" administration prepares the proposal at the request of the respective leaders.

(2) The designated officers exercise the rights of military personnel of the Bulgarian Army.

Article 5. A chief specialist (specialist) for defense mobilization training, who also may perform other tasks, is designated in the townships with populated areas under 100,000 people.

Concluding Order

Sole paragraph. This replaces the following acts of the Council of Ministers:

1. Decree No. 13 of 1948 (unpublished).

2. Decree No. P-162 of 1951 for organization of military (special) divisions in the ministries and departments and compilation of mobilization plans for the same (unpublished).

3. Decree No. 122 of 1952 for improving the organization of the special planning agencies to the ministries and departments (unpublished).

4. Order No. 737 of 1956 for equalizing the duties and salaries for duties of the officers working in civilian ministries and departments with those that exist for the staff of the Ministry of National Defense (unpublished).

5. Decree No. 26 of 1958 (unpublished).

Appendix No. 1 to Article 1, Paragraph 1

Structure and Composition of the Agencies for Defense Mobilization Training in the Ministries, the Other Departments, and the State Administration

Department	Name of Agency (Oblasts, Townships)	Composition	Staff	
			Officers	Civilians
Ministries and Departments				
1.	Council of Ministers	Defense Mobilization Training Section	3	0
2.	Ministry of Industry and Trade	Defense Mobilization Training Section in the Special Production and Conversion Administration	3	1
3.	Ministry of Finance	Defense Mobilization Training Section	3	5
4.	Ministry of Foreign Affairs	Defense Mobilization Training Section	1	2
5.	Ministry of Transportation	Defense Mobilization Training Section	6	6
6.	Ministry of Agriculture	Defense Mobilization Training Section	1	2
7.	Ministry of Territorial Development, Housing Policy, and Construction	Defense mobilization training expert	1	0
8.	Ministry of Education and Science	Defense mobilization training expert	0	1
9.	Ministry of Culture	Defense mobilization training expert	0	1
10.	Ministry of Public Health	Defense mobilization training expert	0	1
11.	Ministry of the Environment	Defense mobilization training expert	0	1
12.	Ministry of Justice	Defense mobilization training expert	0	1
13.	Ministry of Labor and Social Services	Defense mobilization training expert	0	1
14.	Committee on Standardization, Certification, and Metrology	Defense mobilization training expert	0	1
15.	Committee on Energy	Defense Mobilization Training Section	1	1
16.	Committee for Radio	Defense mobilization training expert	0	1

Structure and Composition of the Agencies for Defense Mobilization Training in the Ministries, the Other Departments, and the State Administration (Continued)

Department	Name of Agency (Oblasts, Townships)	Composition	Staff	
			Officers	Civilians
17.	Bulgarian National Television	Defense mobilization training expert	0	1
18.	Committee on Post Offices and Telecommunications	Defense Mobilization Training Section	4	3
19.	Bulgarian National Bank	Defense Mobilization Training Section	1	2
20.	National Statistical Institute	Defense Mobilization Training Section	1	2
21.	Bulgarian Academy of Sciences	Defense mobilization training expert	0	1
22.	State Savings Bank	Defense mobilization training expert	0	1
23.	Central Cooperative Union	Defense mobilization training expert	0	1
24.	Committee on Forests	Defense mobilization training expert	0	1
25.	Committee for Utilization of Atomic Energy for Peaceful Purposes	Defense mobilization training expert	0	1
Total in the Ministries and Departments			25	36
		Agencies of the State Administration		
1.	Sofia Oblast Administration	Defense Mobilization Training Section	1	
	—Pernik Township	Chief specialist in defense mobilization training	1	0
	—Blagoevgrad Township	Chief specialist in defense mobilization training	1	0
	—Kyustendil Township	Chief specialist in defense mobilization training	1	0
	—Dupnitsa Township	Chief specialist in defense mobilization training	0	1
2.	Sofia City Township	Defense Mobilization Training Section	3	7
3.	Khaskovo Oblast Administration	Defense Mobilization Training Section	1	2
	—Kurdzhali Township	Chief specialist in defense mobilization training	1	0
	—Stara Zagora Township	Chief specialist in defense mobilization training	1	0
	—Kazanluk Township	Chief specialist in defense mobilization training	1	0
	—Dimitrovgrad Township	Chief specialist in defense mobilization training	0	1
4.	Lovech Oblast Administration	Defense Mobilization Training Section	1	2
	—Veliko Turnovo Township	Chief specialist in defense mobilization training	1	0
	—Pleven Township	Chief specialist in defense mobilization training	1	0
	—Gabrovo Township	Chief specialist in defense mobilization training	1	0
	—Tryavna Township	Chief specialist in defense mobilization training	0	1
	—Sevlievo Township	Chief specialist in defense mobilization training	0	1
5.	Mikaylovgrad Oblast Administration	Defense Mobilization Training Section	1	2
	—Vidin Township	Chief specialist in defense mobilization training	1	0
	—Kozloduy Township	Chief specialist in defense mobilization training	0	1

Structure and Composition of the Agencies for Defense Mobilization Training in the Ministries, the Other Departments, and the State Administration (Continued)

Department	Name of Agency (Oblasts, Townships)	Composition	Staff	
			Officers	Civilians
	—Vratsa Township	Chief specialist in defense mobilization training	1	0
6.	Ruse Oblast Administration	Defense Mobilization Training Section	1	2
	—Razgrad Township	Chief specialist in defense mobilization training	1	0
	—Turgovishte Township	Chief specialist in defense mobilization training	1	0
	—Silistra Township	Chief specialist in defense mobilization training	1	0
7.	Plovdiv Oblast Administration	Defense Mobilization Training Section	1	2
	—Pazardzhik Township	Chief specialist in defense mobilization training	1	0
	—Smolyan Township	Chief specialist in defense mobilization training	1	0
	—Karlovo Township	Chief specialist in defense mobilization training	0	1
	—Panagyurishte Township	Chief specialist in defense mobilization training	0	1
8.	Varna Oblast Administration	Defense Mobilization Training Section	1	2
	—Dobrich Township	Chief specialist in defense mobilization training	1	0
	—Shumen Township	Chief specialist in defense mobilization training	1	0
9.	Burgas Oblast Administration	Defense Mobilization Training Section	1	2
	—Sliven Township	Chief specialist in defense mobilization training	1	0
	—Yambol Township	Chief specialist in defense mobilization training	1	6
Total in the Agencies of the State Administration			31	30
TOTAL FOR THE SYSTEM OF AGENCIES FOR DEFENSE MOBILIZATION TRAINING			56	66

Remarks. 1. Civil servants may also fill posts in the townships of Pernik, Blagoevgrad, Kyustendil, Kurdzhali, Stara Zagora, Kazanluk, Veliko Turnovo, Pleven, Gabrovo, Vidin, Vratsa, Turgovishte, Razgrad, Silistra, Pazardzhik, Smolyan, Dobrich, Shumen, Sliven, and Yambol.

2. Those named to defense mobilization training posts in the oblasts also fulfill the functions of chief specialists for the corresponding township of the same name.

Appendix No. 2 to Article 2

Basic Functional Duties of the Agencies or Defense Mobilization Training in the Minorities, the Other Departments, and the State Administration

I. In Peacetime

1. They develop a plan for moving from peace conditions to war conditions, and they carry out measures for training for work in wartime.

2. They organize the development of the wartime plan, and they support and correct it in accordance with the methodology developed for wartime planning.

3. They coordinate and control:

a) the building of the mobilization capabilities;

b) the adoption of the mobilization assignments;

c) the creation and maintenance of the individual mobilization reserves;

d) the balancing of the labor resources by profession and specialization, the requalification and postponement of enlistment in the Armed Forces of the specialists necessary for implementation of the wartime plan;

e) the planning and distribution of, and accounting for, the budget funds for defense mobilization training.

4. They are responsible for building the system of stations for administering the department and maintaining it in technical readiness for use.

5. They organize the training of the command staff and the training sessions and exercises with the agencies for administering the system of the department.

6. If necessary, they assist the leadership in carrying out civil defense activities.

7. They monitor the implementation of the wartime work-training assignments.

8. They organize a 24-hour watch to maintain the readiness of the departments and their divisions, the townships and mayoral districts, and to inform them in the case of bringing the country from a peacetime to a wartime condition and in the case of natural disasters and accidents.

9. Also, periodically upon request, they inform the Ministry of Defense, the "National Defense Training" Administration, in order to carry out assignments for training for work during wartime.

10. They carry out other measures assigned to them by the leader, connected with training for work in wartime.

II. In Wartime

1. They assist the leader in:

a) bringing the department from a peacetime to a wartime condition;

b) putting a wartime plan into action;

c) organizing the work of the control points, their protection and defense;

d) assembling information, evaluating the situation, and making decisions for restoration of viability of the department.

2. They organize the work in the preparation and sending of dispatches, summaries, reports, and information about the condition and activity of the department to the Council of Ministers, the Ministry of Defense, and other state agencies.

3. They organize and exercise control over the implementation of wartime missions.

Decree on Financing of Research, Development of Nuclear Energy

92BA0965A Sofia DURZHAVEN VESTNIK in Bulgarian No 33, 21 Apr 92 pp 1-3

[Text of Council of Ministers Decree No. 58 of 8 April 1992 on Financing Scientific Research and Development in the Utilization of Nuclear Energy for Peaceful Purposes and Control of Nuclear and Radiation Safety, signed by Filip Dimitrov, prime minister, and Konstantin Mukhovski, chief secretary of the Council of Ministers]

[Text]

THE COUNCIL OF MINISTERS
DECREES:

Article 1. (1) A "Nuclear Research and Nuclear and Radiation Safety" Fund will be established, under the management of the Committee for the Utilization of Atomic Energy for Peaceful Purposes, for the purpose of financing scientific research and development in the field of the utilization of nuclear power for peaceful purposes and ensuring nuclear and radiation safety.

(2) The assets for this fund will come from annually appropriated funds from the state budget and from income from the sale of research and applied development, licenses, know-how, prototypes, and other commodity-material values, the creation of which have been financed by the fund, fees for the issuing of permits and fines imposed in accordance with the Law on the Utilization of Nuclear Energy for Peaceful Purposes, recovered funds from the repayment or joint financing, interest, donations, deposits, income from the sale of information data, and other deals.

Article 2. A nonbudget account is opened to keep the assets of the Nuclear Research and Nuclear and Radiation Safety Fund, as per Article 37 of the Law on the Formation and Execution of the State Budget.

Article 3. A regulation for the collection, spending, and management of the financial assets of the nuclear research and nuclear and radiation and safety fund, under the administration of the Committee for the Utilization of Nuclear Energy for Peaceful Purposes, is adopted.

Regulation on the Collection, Spending, and Management of the Financial Assets of the Nuclear Research and Nuclear and Radiation and Safety Fund

Section I

General Provisions

Article 1. The present regulation settles the means and procedure for acquiring and spending the assets of the Nuclear Research and Nuclear and Radiation Safety Fund, under the management of the Committee for the Utilization of Nuclear Energy for Peaceful Purposes.

Article 2. The purpose of this regulation is the creation of standardized conditions for the expedient and legitimate utilization of the assets of the Nuclear Research and Nuclear and Radiation Safety Fund in assisting activities related to the utilization of nuclear energy for peaceful purposes and enhancing nuclear and radiation safety.

Article 3. Assets of the fund will be used to finance scientific and technical programs and tasks, expert evaluations, information activities, and scientific and technical cooperation related to the utilization of nuclear energy for peaceful purposes and to upgrade nuclear and radiation safety.

Article 4. (1) Financing with assets of the Nuclear Research and Nuclear and Radiation Safety Fund will be provided free of charge, for payment (repayment), by supplying funds interest-free for a specific period, or mixed: one part free and one part to be repaid.

(2) The assets released from the Nuclear Research and Nuclear and Radiation Safety Fund for payment must be restored to the fund (partially or entirely) after the economic effect has been obtained from the application of the respective scientific and technical results.

Article 5. The collection and expenditure of assets in leva and other currency from the Nuclear Research and Nuclear and Radiation Safety Fund of the Committee for the Utilization of Nuclear Energy for Peaceful Purposes is based on an income and expenditures account that must be approved annually by the minister of finance as proposed by the chairman of the Committee for the Utilization of Nuclear Energy for Peaceful Purposes.

Section II

Procedure for the Collection of Funds

Article 6. The assets of the Nuclear Research and Nuclear and Radiation Safety Fund come from the following sources:

1. Funds annually appropriated from the state budget;

2. Income from the sale of research and applied development, licenses, know-how, prototypes, and other commodity-material values, the creation of which was financed from the fund;

3. Fees for issuing permits and fines imposed in accordance with the Law on the Utilization of Nuclear Energy for Peaceful Purposes;

4. Repaid funds from repayable or mixed financing;

5. Interest, donations, deposits, income from the sale of information materials, and other deals.

Section III

Procedure for the Expenditure of Funds

Article 7. The following will be financed with assets from the Nuclear Research and Nuclear and Radiation Safety Fund:

1. The formulation of forecasts, concepts, and programs related to the utilization of nuclear energy and nuclear and radiation safety;

2. Studies and developments for the creation of new and the improvement of existing technologies, goods, program products, systems, and so forth, for the utilization of nuclear energy, and for the application of nuclear methods and the upgrading of nuclear and radiation safety;

3. Studies, research, and expert evaluations related to supervising the safe utilization of nuclear energy;

4. Studies, research, and expert evaluations related to controlling sources of radiation pollution and environmental protection;

5. The organization of information systems and the acquisition and distribution of information and information materials and products related to the utilization of nuclear energy and nuclear and radiation safety;

6. Payment for services of a scientific and technical nature in the holding of competitions, evaluation of projects and developments, and so forth related to the implementation of state policy in the utilization of nuclear energy;

7. Payments to foreign scientific workers and specialists in our country, invited to provide help (consultation, expert evaluations, and so forth) in the implementation of scientific and technical measures for the utilization of nuclear energy and nuclear and radiation safety and assignments and consultations provided by Bulgarian scientific workers and specialists in the country and abroad related to the implementation of tasks financed out of this fund;

8. The holding of scientific and technical conferences and symposia and the popularization of matters related to the utilization of nuclear energy and nuclear and radiation safety through exhibits, motion pictures, radio, television, and the other mass media.

Section IV

Administration of the Fund and Financing Procedures

Article 8. (1) The Nuclear Research and Nuclear and Radiation Safety Fund is managed by an administrative council appointed by the chairman of the Committee for the Utilization of Nuclear Energy for Peaceful Purposes.

(2) The administrative council includes representatives of departments and organizations that use nuclear energy for peaceful purposes.

(3) The chairman of the Committee for the Utilization of Nuclear Energy for Peaceful Purposes must approve a regulation on the work of the administrative council.

Article 9. Expenditures from this fund must not exceed the collected amounts. Unused assets at the end of the year are rolled over to the following year.

Article 10. The assets of the Nuclear Research and Nuclear and Radiation Safety Fund may be offered on a contractual basis to users (departments, organizations, companies, cooperatives, or physical persons and their associations).

Article 11. (1) Assets from the Nuclear Research and Nuclear and Radiation Safety Fund are granted on the basis of competitions.

(2) The chairman of the Committee for the Utilization of Nuclear Energy for Peaceful Purposes may order assets from the Nuclear Research and Nuclear and Radiation Safety Fund to be granted without competition in the following cases:

1. For patented projects, developments, and goods;

2. For projects, developments, and goods that could be implemented or produced by only one user in the country;

3. For financing particularly important research and development projects involving a certain scientific and technical or economic risk, the implementation of which exceeds the possibilities of individual users, that are of national significance;

4. For financing developments aimed at achieving social results;

5. For financing the faster implementation of particularly important tasks of national significance related to nuclear and radiation safety.

(3) The allocation of funds as per Paragraph 2 may also be done on the basis of a proposal submitted by interested ministries and other organizations.

Article 12. By order, the chairman of the Committee for the Utilization of Nuclear Energy for Peaceful Purposes defines:

1. The target of a competition;

2. The commission to hold the competition and evaluate proposals, which includes representatives of interested ministries and other departments;

3. Deposits for participation in the competition.

Article 13. (1) The commission as per Article 12, Item 2 must make an announcement of a competition, which will include:

1. Topic—subject of the competition;

2. Documents for participation in the competition;

3. Place and deadline for the submission of proposals;

4. Places and deadlines for announcing the decisions of the commissions and the competition results;

5. Amount of deposits a candidate must submit to participate in the competition;

6. The place where additional information on the competition may be obtained.

(2) Any announcement as per the preceding paragraph must be published in one of the central newspapers at least 30 days before the deadline to submit the documents.

(3) The stamp of the post office at the place of submission is considered proof of the date of a proposal for participation in a competition that is sent by mail.

Article 14. (1) Supplements and amendments to submitted documents, as well as the withdrawal of proposals, are allowed at any time before the expiration of a deadline as per Article 13, Paragraph 1, Item 3.

(2) No refund is allowed for a proposal withdrawn after a deadline, as per Article 13, Paragraph 1, Item 3, has expired.

Article 15. (1) The competition commission:

1. Reviews the submitted proposals and, if necessary, seeks the views and evaluations of experts;

2. Announces the competition winner;

3. Drafts a protocol and announces its decision.

(2) A meeting of the commission attended by at least two-thirds of the members who signed the protocol is considered valid. Decisions are made by a two-thirds majority of those present.

(3) If a dissenting opinion is signed, it must be added to the protocol.

Article 16. (1) The participants in a competition have the right to submit to the competition commission their objections within 10 days of the publication of a decision.

(2) Together with the protocol and its resolution, the commission submits to the chairman of the Committee for the Utilization of Nuclear Energy for Peaceful Purposes its own views on objections it has received.

(3) The results of a competition must be approved by the chairman of the Committee for the Utilization of Nuclear Energy for Peaceful Purposes.

Article 17. (1) The winner of a competition has his deposit refunded along with the advance payments after the conclusion of the contract; the deposits of the other participants in a competition are refunded within 15 days of the announcement of the results of the competition.

(2) If no contracts have been signed through the fault of a candidate who has won a competition, the respective topic is postponed for subsequent competitions and the deposit is not refunded.

Article 18. (1) Candidates who have won a competition or users who have received money from the Nuclear Research and Nuclear and Radiation Safety Fund in accordance with a decision by the chairman of the Committee for the Utilization of Nuclear Energy for Peaceful Purposes must conclude a corresponding contract in writing within 30 days of the date of the approval of the results of the competition or the date of the chairman's decision.

(2) A contract as per the preceding paragraph must include the following:

1. Type and scope of activities that are the subject of the contract, and the specific results that are to be obtained;

2. Amount of assets granted from the fund and amount and procedure for repayment in the cases stipulated in Article 4, Paragraph 2;

3. Implementation deadlines;

4. Specific rights and obligations of the parties;

5. Consequences of the nonfulfillment of obligations.

Concluding Clauses

Section 1. The present regulation becomes effective on the date of its publication in DURZHAVEN VESTNIK.

Section 2. Instructions on the application of this regulation must be issued by the chairman of the Committee for the Utilization of Nuclear Energy for Peaceful Purposes.

Resolution Establishing Interagency Council on Defense, Mobilization

92BA0963A Sofia DURZHAVEN VESTNIK in Bulgarian No 27, 2 Apr 92 pp 3-4

[Text of Resolution No. 50, Establishing an Interagency Council on Defense and Mobilization Preparedness of the Country and Formulating a Wartime Plan, adopted by the Council of Ministers on 26 March 1992 and signed by Filip Dimitrov, prime minister, and Konstantin Mukhovski, general secretary of the Council of Ministers]

[Text]

COUNCIL OF MINISTERS
RESOLUTION:

Article 1. Establishes an Interagency Council on Defense and Mobilization Preparedness of the Country.

Article 2. Defines the composition and functions of the Interagency Council on Defense and Mobilization Preparedness of the Country, as per Appendixes Nos. 1 and 2.

Article 3. (1) In cases stipulated by law, ministries, departments, and other state authorities, companies, and organizations must formulate wartime plans. The plans must be submitted to the Preparation of the Country for Defense Administration of the Ministry of Defense. Following approval by the Interagency Council, the minister of defense shall submit the wartime plan and budget for ratification by the Council of Ministers.

(2) Recommends to the Bulgarian National Bank that it formulate a credit wartime plan for the country and secure the work of the banking system in wartime.

(3) The National Statistical Institute must submit to the Preparation of the Country for Defense Administration of the Ministry of Defense the necessary information on the formulation, updating, and readiness to apply the wartime plan.

Appendix No. 1 to Article 2

Composition of the Interagency Council on the Defense and Mobilization Preparedness of the Country

Chairman: Minister of Defense

Deputy Chairmen: Deputy Minister of Defense, Deputy Minister of Industry and Trade

Members:

—Deputy Minister of the Interior

—Deputy Minister of Foreign Affairs

—Deputy Minister of Finance

—Deputy Minister of Transportation

—Deputy Minister of Agricultual Development, Land Use, and Restoration of Land Property

—Deputy Minister of Territorial Development, Housing Policy, and Construction

—Deputy Minister of Public Health

—Deputy Minister of Labor and Social Welfare

—Chairman of the Committee for the Power Industry

—Chairman of the Committee for the Communications and Information Industry

—Chief of the State Reserve Administration

—General Staff Chiefs of Administrations

Secretary: Chief of the Preparedness of the Country for Defense Administration of the Ministry of Defense

Appendix No. 2 to Article 2

Basic Functions of the Interagency Council on Defense and Mobilization Preparedness of the Country

The Interagency Council on Defense and Mobilization Preparedness of the Country is an authority of the Council of Ministers that:

1. Guides the leadership of ministries, departments, and other state administration authorities, companies, and organizations in the area of their defense and mobilization preparedness;

2. Approves the methodology and respective legal base of wartime plans in the industrial and nonindustrial areas as proposed by the Preparedness of the Country for Defense Administration;

3. Adopts the country's wartime plan and submits it for ratification to the Council of Ministers;

4. Submits for approval by the Council of Ministers assignments on the production of military goods and the creation of mobilization production capacities and mobilization reserves;

5. Ratifies the lists and standards for the accumulation of mobilization reserves in accordance with the approved wartime plan;

6. Allows the release of mobilization reserves;

7. Ratifies the allocation of the necessary budget funds for the implementation of mobilization assignments.

The Interagency Council meets if one-half plus one of its members are present, and its decisions must be passed by a qualified majority of two-thirds of those present.

The Council of Ministers recommends to the Bulgarian National Bank and the National Statistical Institute that they appoint individuals to participate in the meetings of the Interagency Council on Defense and Mobilization Preparedness.

Ministry of Health Regulation on AIDS

92BA0964A Sofia DURZHAVEN VESTNIK in Bulgarian 24 Apr 92 pp 13-15

[Text of Ministry of Health Regulation No. 4, "Conditions and Procedure for Investigating Infection With the Virus of Acquired Immune Deficiency Syndrome," dated 2 April 1992 and signed by Minister N. Vasilev]

[Excerpts] **Article 1.** The conditions and procedure for carrying out investigations of infection with the virus of Acquired Immune Deficiency Syndrome (HIV) are set out in this regulation.

Article 2. (1) The following are subject to mandatory examination for infection with HIV:

1. Every unit of donated blood;

2. Tissue and organ donors;

3. Sperm donors;

4. Human milk donors;

5. Children born of mothers infected with HIV;

6. Foreign citizens and persons without citizenship coming for instruction or work for more than one month, as well as immigrants, irrespective of the period of their stays.

(2) Blood of the persons specified in Paragraph 1 is taken for testing:

1. Before the donation, in accordance with Points 2 and 4;

2. On the day of the donation and 45 days after that, in accordance with Point 3;

3. Up to one month after birth, upon completion of six months, and at ages one, two, and three, in accordance with Point 5;

4. During the first 72 hours after their arrival, in accordance with Point 6.

Article 3. (1) All citizens may be examined at their request through the Consultative Offices for Sexually Transmitted Diseases (KKBPPP), at the dermatology and venereology dispensaries (departments). The identity of the person investigated is kept secret by having the person choose an individual letter-number code. The personal data of the person in this case and the code chosen are known only to the person and the physician who heads the office.

(2) The consultation and testing for HIV infection may also be carried out completely anonymously, as the patient is represented by a code that is known only to him.

Article 4. The health workers who tend pregnant women are obliged to explain to them by reasonable means the risk to offspring in the case of HIV infection of the mother, to recommend testing to them, and, with their permission, to send the blood taken for testing for syphilis and HIV.

Article 5. The blood is taken and tested as follows:

1. The donated blood is tested in the centers for transfusion hematology (TsTKh);

2. For persons in accordance with Article 2, Points 2 and 3, the blood is taken in the health institution in which the donation is made, and, for Point 4, in a chosen health institution, after which the testing is carried out in the TsTKh or the KhEI (Hygiene Epidemiological Institute);

3. For persons in accordance with Article 2, Point 5, the blood is taken in the health establishment where the mother is treated, and the testing is carried out in the Central Laboratory for AIDS (TsLS);

4. For persons in accordance with Article 2, Point 6, the blood is taken in the treatment and prevention establishment for the place of work or residence, and the testing is carried out in the serological laboratories of the dermatology and venereology establishment or KhEI;

5. For persons in accordance with Articles 3 and 4, the blood is taken in the KKBPPP and is tested in the serological laboratory at the corresponding dermatology and venereology disease establishment or KhEI.

Article 6. The following order is maintained in taking and testing the blood:

1. In the health establishment where the blood is taken, the person is registered in the outpatient book for preventative examinations, while the full names and addresses of the people mentioned in Article 3 are recorded opposite the outpatient number, and, for those mentioned in Articles 3 and 4, the individual code chosen for them. The office manager orally informs the person concerning the date when the result is to be received;

2. The medical person who is assigned to draw the blood sends the serum removed by courier to the corresponding laboratory in a vial, upon the label of which the outpatient number and the name or individual code of the person is written. The vial is accompanied by three copies of a medical certificate in accordance with the sample (Appendix No. 1 [not reproduced here]);

3. Upon receiving the serum in the corresponding laboratory, the outpatient number is recorded, and one copy of the certificate is returned to the health establishment from which the serum is sent;

4. After performing the testing, the laboratory director records the result on the remaining two copies of the accompanying certificate and sends one of them to the health establishment that sent the serum;

5. In the case of doubt or a positive result from the first test, the corresponding laboratory sends the remainder of the serum with a copy of the accompanying certificate by courier for confirmation or rejection of the result;

6. When the TsLS receives the serum, it is recorded in the log for incoming materials with the following data: laboratory number, name, age, and address of the persons tested in accordance with Article 2, or ambulatory number and individual code for persons in accordance with Articles 3 and 4; the reason for the testing; and the health establishment that sent the serum. The following are noted in the same log: the date of the testing, the name of the test used, the results of the test, and to whom the results are reported.

Article 7. In the case of a positive or doubtful result, the director of the TsLS requests of the TsTKh or the KKBPPP that they send by courier serum for confirmation or rejection of the result. The outpatient number and name or the individual code of the person tested are marked on the vial containing the serum. The vial is accompanied by the certificate formulated according to the sample (Appendix No. 1).

Article 8. In the case of a negative result, the TsLS director informs the TsTKh or KKBPPP director.

Article 9. In the case of an indefinite result, the director of the TsLS informs the director of the TsTKh or the KKBPPP in writing, and specifies a date for retesting the person. In these cases, the donated blood is destroyed, and the further consultation and observation of the person with an indefinite result is carried out by the KKBPPP.

Article 10. (1) In the case of a second positive result in the TsLS, the laboratory director puts together and sends a report in accordance with the sample (Appendix No. 2) to the KKBPPP in the corresponding region.

(2) The director of the TsLS sends a copy of the report mentioned in Part 1 to the "Antiepidemic Control" of the Ministry of Health.

Article 11. For persons confirmed as infected with the AIDS virus by a report from the TsLS, the Consultative Office for Sexually Transmitted Diseases offers clinical observation from the dermatology and venereology clinic (department) of their choice.

Article 12. A health worker who has violated the secrecy of the testing or of the state of health of the persons mentioned in Articles 2, 3, and 4 is subject to criminal punishment in accordance with Article 284 of the criminal code and, if the act is not a crime, administrative punishment in accordance with Article 101 of the Public Health Law.

Concluding Orders

Section 1. The following changes are made in Regulation No. 20, governing the activities of the "Mother and Child" homes (published in DURZHAVEN VESTNIK No. 92 of 1980; modified in No. 78 of 1983 and supplemented in No. 11 of 1988):

1. In Article 7, Section 1, Part 6, the words "testing the parents for Acquired Immune Deficiency Syndrome (AIDS)" are deleted.

2. In Article 9, Part 2, letter b, the words "testing for Acquired Immune Deficiency Syndrome" are deleted.

Section 2. This regulation is published on the basis of two of the concluding orders in connection with Article 36a, Section 1 of the Public Health Law. [passage omitted]

Appendix No. 2 to Article 10, Paragraph 1

PROTOCOL
No.....
for performing laboratory testing

The Central Laboratory for AIDS at the National Center for Infections and Parasitic Diseases, Sofia, has completed serological testing of ..... (Name, Patronymic, Family Name or Code)

Age ....., Address: City ....., Street ....., Profession .....

I. Antibodies against HIV,
According to Elisa Reaction:

1. First test—diagnostic agent of the..... company; date..... result.....

2. Second test—diagnostic agent of the ..... company; date ..... result .....

II. Antibodies Against HIV,
According to Western Blot:

1. First test—diagnostic agent of the..... company; date..... result.....

2. Second test—diagnostic agent of the ..... company; date ..... result .....

Conclusion from the laboratory testing: .....

Laboratory Director:.....
(Name, Patronymic, Family name)

Ministry of Health Regulations on Immunizations

92WE0372Z Sofia DURZHAVEN VESTNIK in Bulgarian No 24, 24 Mar 92 pp 2-5

[Text of two Ministry of Public Health orders, both signed by Minister N. Vasilev]

[Text]

Order Rescinding Order No. 13 on the Organization of Labor and the Allocation of Working Time of Public Health Workers, Dated 10 July 1984 (Unpublished)

One paragraph only. I hereby rescind Order No. 13 on the organization of labor and the allocation of working time of public health workers, dated 10 July 1984.

Order No. RD-09-110a, 26 February 1992

On the basis of Article 18 of the Law on Public Health and the decision of the Public Health Ministry Commission of Serums and Vaccines, and in conformity with the recommendations of the World Health Organization and with the requirements of the Expanded Immunization Program for Lowering Morbidity from Communicable Diseases and for the Elimination of some of them, as well as for the strengthening of immunization practice in the country, I hereby order, as follows:

1. With effect from 16 March 1992, a new immunization calendar of the Republic of Bulgaria and the appendix thereto shall be introduced in the country.

2. The director of the National Health Information Center shall formulate and introduce by 30 April 1992 program backup of an automated system for the administration of prophylactic immunization, consistent with the requirements of the new immunization calendar of the Republic of Bulgaria.

This order cancels Order No. RD-09-263 of 3 April 1989 (unpublished).

I entrust the implementation of the order to the heads of health care institutions and the directors of KhEI's [hygiene-epidemiological institutes], and the monitoring thereof to the deputy ministry—the Chief State Medical Inspector.

Immunization Calendar of the Republic of Bulgaria

Age	Immunization	Vaccine	Mode of Administration
First 24 hours after birth	Hepatitis Type-B immunization (first dose)	Recombinant hepatitis B vaccine	Intramuscularly, 0.5 ml
48 hours after birth	Tuberculosis immunization	Tuberculosis vaccine (BCG)	Intracutaneously, 0.1 ml
1 month	Hepatitis B immunization (second dose)	Recombinant hepatitis B vaccine	Intramuscularly, 0.5 ml
2 months	Poliomyelitis (first dose)	Trivalent live poliomyelitis vaccine (Types I, II, III)	By mouth, 2 drops
	Diphtheria-tetanus-pertussis immunization (first dose)	DTK [difteriya, tetanus i koklyush; hereinafter DTP] vaccine	Subcutaneously, 0.5 ml
3 months	Poliomyelitis immunization (second dose)	Trivalent live poliomyelitis vaccine (Types I, II, III)	By mouth, 2 drops
	DTP immunization (second dose)	DTP vaccine	Subcutaneously, 0.5 ml
4 months	Poliomyelitis immunization (third dose)	Trivalent live poliomyelitis vaccine (Types I, II, III)	By mouth, 2 drops
	DTP immunization (third dose)	DTP vaccine	Subcutaneously, 0.5 ml
6 months	Hepatitis Type B immunization (third dose)	Recombinant hepatitis B vaccine	Intramuscularly, 0.5 ml
7-10 months	Checking for sign after BCG immunization; on children with no sign, Mantoux test is made (5 International Units of PPD [purified protein derivative]), and those who are negative are immunized	BCG vaccine	Intracutaneously, 0.1 ml
13 months	Measles-mumps-rubella immunization	Measles-mumps-rubella trivaccine or corresponding monovaccine	Subcutaneously or intramuscularly, 0.5 ml
14 months	First poliomyelitis reimmunization (fourth dose)	Trivalent live poliomyelitis vaccine (Types I, II, III)	By mouth, 2 drops
22-24 months	Second poliomyelitis reimmunization (fifth dose)	Trivalent live poliomyelitis vaccine (Types I, II, III)	By mouth, 2 drops
Up to 24 months (not earlier than 1 year after third dose)	Second DTP reimmunization (fourth dose)	DTP vaccine	Subcutaneously, 0.5 ml
6-7 (first grade)	Third poliomyelitis reimmunization (sixth dose)	Trivalent live poliomyelitis vaccine (Types I, II, III)	By mouth, 2 drops
	Diphtheria and tetanus reimmunization	DT vaccine	Intramuscularly, 0.5 ml
	Tuberculosis reimmunization (following a negative Mantoux test)	BCG vaccine	Intracutaneously, 0.1 ml
10-11 (fifth grade)	Tuberculosis reimmunization (following a negative Mantoux test)	BCG vaccine	Intracutaneously, 0.1 ml
11-12 (sixth grade)	Measles-mumps-rubella reimmunization	Measles-mumps-rubella trivaccine	Subcutaneously or intramuscularly, 0.5 ml
	Diphtheria-tetanus reimmunization	DT vaccine	Intramuscularly, 0.5 ml
16-17 (10th grade)	Tetanus reimmunization	Tetanus toxoid	Intramuscularly, 0.5 ml
	Tuberculosis reimmunization (following a negative Mantoux test)	BCG vaccine	Intracutaneously, 0.1 ml
From 25 on, every 10 years	Tetanus reimmunization	Tetanus toxoid	Intramuscularly, 0.5 ml

Appendix

Basic Principles, Intervals and Compatibilities in Prophylactic Immunizations

I. Basic Principles

1. Immunizations and reimmunizations shall be performed after examination by a physician.

2. Immunizations and reimmunizations shall be performed throughout the year according to the modes and in the sequence indicated in the immunization calendar. For children who are not immunized (reimmunized) at the appropriate age and are two months' overdue, individual immunizations (reimmunizations) shall be arranged on a priority basis as follows:

a) Immunization (reimmunization) against: poliomyelitis; diphtheria, tetanus, and pertussis; measles, mumps, rubella; hepatitis Type B; tuberculosis;

b) All immunizations have priority over the various types of reimmunizations.

3. In epidemic situations, by decision of the minister of public health, the following vaccines can be administered at an earlier age: poliomyelitis vaccine immediately after birth (zero dose) and measles vaccine before the age of 12 months. These doses are emergency doses and do not change the applicable immunization scheme envisaged in the calendar.

4. The doses to be administered, the side reactions, and the medical contraindications are given in the instructions for the use of the respective vaccines.

5. For a complete basic immunization, the following are to be taken:

a) Three doses of the following vaccines: DTP, poliomyelitis, and hepatitis B;

b) Two doses of TT [tetanichen toksoid; tetanus toxoid][1]

6. The vaccines are effective during the indicated period of potency if refrigeration (2 to 8°C) is provided during transport and storage.

7. Freezing of adsorbed vaccines (DTP, DT, TT, and hepatitis B) must not be permitted. On thawing, they are unfit for use.

II. Intervals and Compatibilities of Immunizations and Reimmunizations

1. Intervals between doses of the same vaccine:

a) Vaccines for which the basic immunization comprises several doses (DTP, DT, TT, poliomyelitis), the minimum interval between individual doses is 30 days; for hepatitis B vaccine, the minimum interval between the first and second dose is 30 days, but between the second and third dose is three to five months;

b) In case of a prolongation of the interval between doses, the next doses are to be administered at the first opportunity, without starting the immunization scheme afresh—that is, without administering additional doses of vaccine;

c) In the absence of stable contraindications, the immunizations against diphtheria, tetanus, and pertussis, poliomyelitis, and hepatitis Type B shall be completed not later than the age of 12 months. After this age, even for children with a strong reaction after the DTP immunization dose, the DT vaccine is to be administered;

d) The DTP vaccine is to be administered for reimmunization before the age of 24 months is reached, but no earlier than one year after completion of the basic immunization;

e) In case of the necessity of two consecutive doses of monovaccines (measles, mumps, rubella) or of a combined vaccine (measles-mumps-rubella), the minimum interval is 30 days. No upper age limit for immunization (reimmunization) with these vaccines is to be observed;

f) The BCG vaccine is to be administered two months after examination for tuberculin sensitivity with the Mantoux test (5 IU of PPD); the vaccine is to be administered to children who react negatively not later than the 15th day after the test is made.

2. Compatibility and minimum intervals between doses of various vaccines:

a) The poliomyelitis vaccine is to be administered simultaneously with the DTP, DT, and TT vaccines; it is permissible to administer them separately without observing a specific interval between the doses of the poliomyelitis vaccine and the aforesaid vaccines;

b) The measles, mumps, and rubella monovaccines are to be administered simultaneously (in different places), or a 30-day interval between the doses of each of them is to be observed;

c) The hepatitis B vaccine is to be administered simultaneously with all other vaccines included in the immunization calendar or without observing a specific interval between doses; in case of simultaneous administration, the vaccines are to be injected in different places;

d) The BCG vaccine is to be administered simultaneously with the hepatitis B vaccine, with which it is compatible; in the case of the other vaccines, a 30-day interval between the doses is to be observed;

e) In testing for tuberculin sensitivity, after application of a live virus vaccine, a minimum interval of four to six weeks after the vaccine dose is to be observed;

f) It is permissible to administer simultaneously (in different places) the following vaccines: poliomyelitis, DTP, DT, and measles, mumps, rubella (monovaccines

and trivaccines) in the case of children who are to be immunized (reimmunized) but who have not received the doses in the sequence indicated in the immunization calendar;

g) No intervals or medical contraindications are to be observed in administering tetanus toxoid for prophylaxis of injured persons or in administering hydrophobia vaccine to persons in danger of hydrophobia.

3. Intervals in the administration of human normal and specific immunoglobulins:

a) Immunoglobulins for prophylaxis of persons in contact with contagious patients or for therapeutic purposes are to be administered regardless of the interval of a preceding immunization or reimmunization that has been performed; given an interval of less than 14 days, immunization (reimmunization) with the live virus vaccines: measles-mumps-rubella monovaccine or measles, mumps, and rubella trivaccine is to be repeated at the earliest three months after the administration of the immunoglobulin; for persons in contact with virus hepatitis, this interval is six months (after an assessment of health status on the basis of the results of a laboratory examination that rule out the person's having had a protein-free form of virus hepatitis);

b) Live poliomyelitis vaccine, killed vaccines, and toxoids can be administered simultaneously with immunoglobulins and also at a different time, without observing a specific interval between the doses of the vaccines and the immunoglobulin.

Footnote

1. toxoid = anatoxin.

Law on Foreign Exchange

92CH0979B Prague HOSPODARSKE NOVINY in Czech 28 Jul 92 pp 15-17

[Text of Law on Foreign Exchange published by the Presidium of the Federal Assembly, effective 1 July 1992]

[Text] The Presidium of the Federal Assembly hereby publishes the complete text of the Law on Foreign Exchange, dated 28 November 1990, Law No. 528 Sb. [Collection of Laws] as changed and amended by Law No. 228/1992 Sb., dated 22 April 1992.

The Federal Assembly of the Czech and Slovak Federal Republic has agreed upon the following law:

PART ONE

Division 1
Terms

Section 1

(1) Foreign exchange is defined as monetary means in a foreign currency in the form of currency or foreign exchange.

(2) Foreign currency is defined as monetary means in a foreign currency in the form of bank notes, state-issued notes, and currency in circulation.

(3) Foreign exchange is defined as monetary means in a foreign currency which are in accounts maintained by domestic or foreign monetary institutions or which can be handled on the basis of foreign payments documents (Section 2, Letter a)).

Section 2

For purposes of this law, the following definitions apply:

a) Foreign payments documents and papers linking a right to monetary fulfillment in foreign currency (bills of exchange, checks, letters of credit, money orders, payment cards, etc.).

b) Gold, which is defined as gold coins and gold tradable on a worldwide basis in alloy form, the purity of which is guaranteed for that purpose by a world-recognized legal entity as a result of the imprint of its imprimatur or an attached certificate.

c) Securities are interpreted as being documents connected with a right having to do with participation in property (stocks, share listings, etc.), bonds (state bonds, bonds of public institutions, banks, industrial bonds, and other enterprise bonds), as well as dividend and interest coupons and talon coupons.

d) Foreign securities are defined as securities having to do with property abroad, as well as securities payable abroad.

e) Foreign exchange values are defined as foreign exchange devices, foreign payments documents, gold, foreign securities, deposit lists made out in foreign currencies and deposit passbooks made out in foreign currencies.

f) Trade in foreign exchange values is interpreted as the purchase, sale of foreign exchange values for Czechoslovak currencies, as well as the mutual exchange of foreign exchange values and the handling of foreign exchange values in all types of transactions (for example, guarantees, arbitration operations, credit).

g) A monetary claim by a foreign exchange Czechoslovak national made upon a foreign exchange foreign national is considered to be a claim which is satisfiable in Czechoslovak currency or in a foreign currency.

h) A monetary obligation by a foreign exchange Czechoslovak national with regard to a foreign exchange foreign national is considered to be an obligation which is to be fulfilled in Czechoslovak currency or in a foreign currency.

Section 3

(1) For purposes of this law, a foreign exchange bank is understood to be a bank with a seat in Czechoslovakia and a branch of a foreign bank, as long as trading in foreign exchange values or the conduct of payments contacts involving foreign countries has not been excluded from the permit granted to act as a bank.[1]

(2) As long as this law does not stipulate otherwise, a foreign exchange bank, with the exception of a branch of a foreign bank, is subject to provisions regulating the legal standing of a foreign exchange Czechoslovak national—a legal entity. A branch office of a foreign bank is not considered to be a foreign exchange foreign national in carrying out its activities based on the permit to act like a bank.

Section 4

A foreign exchange permit is a permit granted by foreign exchange organs (Section 6) upon request, in accordance with individual provisions of this law. A foreign exchange permit may also be issued for repeated activities.

Section 5

(1) Foreign exchange Czechoslovak nationals are individuals with a permanent residence in Czechoslovakia[2] and legal entities which have their seat in Czechoslovak.

(2) Other individuals and legal entities are foreign exchange foreign nationals. International organizations with seats in Czechoslovakia, which have been established and developed their activities in the Czech and Slovak Federal Republic according to special regulations[3] are also considered to be foreign exchange foreign nationals.

(3) The rights and obligations of foreign exchange Czechoslovak nationals—legal entities also apply to foreign exchange Czechoslovak nationals who are individual businessmen[3a] in carrying out their business activities.

Division 2
Foreign Exchange Organs and Their Jurisdiction

Section 6

(1) According to this law, foreign exchange organs are made up of the State Bank of Czechoslovakia, the Federal Ministry of Finance, the ministries of finance of the republics, and the Federal Ministry of Foreign Trade.

(2) As long as this law does not stipulate otherwise, the following functions are carried out by the institutions indicated:

a) The Federal Ministry of Finance is responsible for the area of government credits and in its relationship with budgetary or contributory organizations, citizens' associations, and endowments, as well as other legal entities within the jurisdiction of the federation which are not engaged in business activities.

b) The Ministry of Finance of the republic, in its relationship with budgetary or contributory organizations and citizens' associations under the jurisdiction of the republic, churches, religious societies,[4] and endowments, as well as other legal entities within the jurisdiction of the republic which do not engage in business activities and in the relationship with individuals who reside on the territory of this republic, to the extent that their business activities are not involved.

c) The State Bank of Czechoslovakia, in relation to the remaining legal entities and individuals—businessmen in carrying out their business activities.

(3) The republic ministries of finance are responsible for foreign exchange inventories and documents for purposes of interstate negotiations dealing with property claims and take care of the intrastate implementations of the results of these negotiations.

PART TWO
TRADE INVOLVING FOREIGN EXCHANGE VALUES AND PAYMENTS CONTACT

Section 7

(1) Foreign exchange banks may trade foreign exchange values (Section 2, Letter f) to the extent stipulated by the State Bank of Czechoslovakia.

(2) Foreign exchange Czechoslovak nationals who are not a foreign exchange bank may conduct the following trades without a foreign exchange permit:

a) They may trade foreign exchange values which are subject to the obligatory offering program (Section 11, Paragraph 1, Section 17, Paragraph 1) and which a foreign exchange bank has refused to purchase (Section 12, Paragraph 3, Section 17, Paragraph 7) and for which it has issued them a receipt.

b) They may trade gold coins.

(3) In cases to which the provisions of Paragraph 2 above do not apply, foreign exchange Czechoslovak nationals who are not a foreign exchange bank may trade foreign exchange values as long as one of the participants of such trades is not a foreign exchange bank, but they may do so only with a foreign exchange permit from the State Bank of Czechoslovakia.

(4) Foreign exchange foreign nationals may mutually trade foreign exchange values for Czechoslovak currencies, and may also conduct these trades with foreign exchange Czechoslovak nationals only with the foreign exchange permission issued by the State Bank of Czechoslovakia.

(5) Other persons to whom the State Bank of Czechoslovakia has issued a permit to trade foreign exchange values and to engage in payments contacts with foreign countries enjoy the rights and obligations stipulated by this law for a foreign exchange bank within the scope of this permit. The State Bank of Czechoslovakia shall publish the conditions under which these individuals may engage in exchange activities in SBIRKA ZAKONU [Sb.] by decree.

(6) Banks may purchase and sell foreign exchange values for Czechoslovak currencies without a foreign exchange permit. In this activity, they have the standing of a foreign exchange bank.

Section 8

(1) A foreign exchange Czechoslovak national may make payments abroad and receive payments from abroad as long as nothing different is indicated by the permit issued by the State Bank of Czechoslovakia or the permit of another foreign exchange organ granted in agreement with the State Bank of Czechoslovakia, but must do so exclusively through the offices of the foreign exchange bank if payments contact is accomplished without cash payments.

(2) A permit according to Paragraph 1 above is not necessary for the rendering of monetary services by the postal authorities in international contacts.[5]

PART THREE
RIGHTS AND OBLIGATIONS OF FOREIGN EXCHANGE CZECHOSLOVAK NATIONALS—LEGAL ENTITIES

Division 1

Section 9
Reporting Obligation

(1) A foreign exchange Czechoslovak national—legal entity is obligated to report the following to the State Bank of Czechoslovakia for purposes of recordkeeping:

a) Any monetary claims and monetary obligations involving foreign exchange foreign nationals.

b) Any foreign real estate holdings, as well as an overview of incomes and expenditures connected with this real estate.

c) Any foreign property participation.

d) Any foreign securities holdings.

(2) The implementing regulations set the time limit for fulfilling the reporting obligation according to Paragraph 1 above and can determine the cases to which this obligation does not apply. In justified cases, the foreign exchange Czechoslovak national—legal entity may be relieved of the reporting obligation completely or partially by being granted a foreign exchange permit.

Division 2
The Transfer of Claims by a Foreign Exchange Czechoslovak National—Legal Entity to Czechoslovakia

Section 10

(1) A foreign exchange Czechoslovak national—legal entity is obligated to take all actions required to transfer or transport to Czechoslovakia any payments made abroad to cover the claim in question and any foreign exchange means on deposit with foreign monetary institutions, without undue delay.

(2) The implementing regulation may stipulate cases in which a foreign exchange Czechoslovak national—legal entity is not obligated to perform the duty listed in Paragraph 1 above. In justified cases, the foreign exchange Czechoslovak national—legal entity may be relieved of this duty altogether by being issued a foreign exchange permit.

Division 3
The Duty of Offering To Sell Foreign Exchange and the Right to Compensation

Section 11

(1) A foreign exchange Czechoslovak national—legal entity is obligated to offer foreign exchange means and gold to the foreign exchange bank (Section 3) for purchase in return for Czechoslovak currency, with the exception of gold coins, to the entire extent of the amount of foreign exchange means and gold acquired.

(2) The foreign exchange bank is obligated to offer the State Bank of Czechoslovakia for purchase for Czechoslovak currency any foreign exchange means and gold which it has purchased from foreign exchange Czechoslovak nationals and foreign exchange foreign nationals for foreign exchange currency, and shall do so to the extent and by the method stipulated by the State Bank of Czechoslovakia.

(3) Foreign exchange means and gold which are used by a foreign exchange foreign national to share in the basic capital of an enterprise in Czechoslovakia by deposit, according to special regulations,[6] are not subject to the obligatory offering program.

(4) The implementing regulation may specify when a foreign exchange Czechoslovak national—legal entity is not obligated to perform the duty listed in Paragraphs 1 and 2 above or it can extend the time limit for the fulfillment of that duty according to Section 12. In justified cases, the foreign exchange Czechoslovak national—legal entity may be relieved of this duty by issuance of a foreign exchange permit.

(5) A foreign exchange Czechoslovak national—legal entity is obligated to deposit any foreign exchange means and the countervalue of gold in foreign currencies which are not subject to the obligatory offering program (Paragraphs 3 and 4) in a foreign exchange account with the foreign exchange bank, provided the implementing regulations or the foreign exchange permit do not stipulate otherwise.

(6) Foreign exchange means deposited in a foreign exchange account are not subjected to the obligatory offering program according to Paragraphs 1 and 2 and the owner may make use of them without restriction, with the exception of cases listed in Section 7, Paragraph 3, and Section 14, Paragraph 1, and as long as a foreign exchange permit has not been issued in accordance with Paragraph 4 containing a stipulation directing the use to be made of these foreign exchange means.

Section 12

(1) The duties outlined in Section 11 must be fulfilled by the foreign exchange Czechoslovak national—legal entity with respect to foreign exchange and gold within 30 days of their acquisition or 30 days after having learned of their acquisition or possibly 30 days after becoming a foreign exchange Czechoslovak national. Whereas with respect to foreign exchange, the obligatory offering program is fulfilled by transferring the countervalue of the acquired foreign exchange means to the account of the foreign exchange Czechoslovak national—legal entity, maintained in Czechoslovak currency by the foreign exchange bank.

(2) The purchase of foreign exchange and gold is accomplished according to the exchange rate valid for the purchase of foreign exchange or according to the market price of gold effective on the day the foreign exchange and gold were offered to the foreign exchange bank for purchase. The purchase of foreign exchange is accomplished according to the foreign exchange rate valid on the day listed in the payments order of the foreign bank. If the day is not listed, the purchase is accomplished according to the rate of exchange valid on the day the foreign exchange bank received the payments order from the foreign bank to the benefit of the foreign exchange Czechoslovak national—legal entity. Only in case the foreign exchange bank cannot determine the amount of payment transmitted by the foreign bank to the benefit of the foreign exchange Czechoslovak national—legal

entity in any other way than on the basis of an extract from the appropriate account is this amount computed in accordance with the rate of exchange applicable on the day listed in the extract from the account of the foreign bank.

(3) In the event the foreign exchange bank refuses to purchase foreign exchange means from the foreign exchange Czechoslovak national—legal entity, it will certify that fact for him by issuing a confirmation. The foreign exchange Czechoslovak national—legal entity may then handle this foreign exchange within Czechoslovakia as well as abroad without restriction.

Section 13

(1) In fulfillment of the monetary obligation by a foreign exchange Czechoslovak national—legal entity in regard to a foreign exchange foreign national, which has come about in conjunction with this law or on the basis of another generally binding legal regulation, the foreign exchange bank is obligated to make foreign exchange means available, following a request by the foreign exchange Czechoslovak national—legal entity, to the foreign exchange foreign national in exchange for Czechoslovak currency. This does not apply as long as the transaction involves a monetary obligation by the foreign exchange Czechoslovak national—legal entity based on bonds made out in Czechoslovak currency and payable within one year.

(2) The payment of foreign exchange means according to Paragraph 1 above is accomplished in accordance with the rate of exchange applicable on the day the payment is made—the day which is required in order to adhere to the payments schedule. If the due date is not listed, payment of foreign exchange means is made according to the rate of exchange agreed upon between the foreign exchange bank and the foreign exchange Czechoslovak national—legal entity. In other cases, payment is accomplished according to the rate of exchange valid on the day the payments order is received from the foreign exchange Czechoslovak national—legal entity to be made by the foreign exchange bank.

(3) The State Bank of Czechoslovakia determines the procedure used by foreign exchange banks in accomplishing payments according to Paragraph 1 above and publishes these procedures by publishing measures in SBIRKA ZAKONU.

Section 13a

(1) The foreign exchange bank is obligated to sell to a foreign exchange Czechoslovak national—legal entity foreign exchange means in return for Czechoslovak currency to compensate for the outlays made by an individual connected with being dispatched on official travel abroad by that legal entity, to the extent stipulated in special regulations.[6a]

(2) The foreign exchange bank is obligated to transfer abroad compensation in foreign exchange means which is commensurate to the countervalue in Czechoslovak currency deposited by a foreign exchange Czechoslovak national—legal entity and intended to cover the costs of activities of one of its organizational components abroad.

(3) The foreign exchange bank is obligated to sell to a foreign exchange Czechoslovak national—legal entity foreign exchange means upon request or to pay a foreign exchange foreign national sufficient foreign exchange means necessary for the following purposes:

a) To safeguard the defense and security of the state.

b) To compensate him for expenditures connected with the rendering of services in the area of foreign tourist travel, paid for abroad.

(4) The implementing regulation stipulates those foreign exchange Czechoslovak nationals—legal entities to whom the foreign exchange bank is obligated to sell foreign exchange or those who have the right to be compensated for foreign exchange in accordance with Paragraph 3, Letter a), above.

Section 13b

In justified cases, the foreign exchange organ who has jurisdiction according to Section 6, Paragraph 2, above can give permission to a foreign exchange Czechoslovak national—legal entity to accomplish the exceptional purchase of foreign exchange means over and above the framework of cases listed in Section 13, Paragraph 1, or in Section 13a, Paragraphs 1 through 3.

Section 13c

The foreign exchange bank is obligated to sell foreign exchange which is essential to the fulfillment of monetary obligations based on the issuance of domestic securities made out in foreign currencies to a foreign exchange Czechoslovak national—legal entity.[6b]

Division 4
Contractual Assumption of Monetary Obligations With Regard to Foreign Exchange Foreign Nationals and Their Payment

Section 14

(1) A foreign exchange Czechoslovak national—legal entity may, without being granted a foreign exchange permit, contractually obligate himself to make monetary payments to a foreign exchange foreign national, provided he can make use of his monetary resources to fulfill this obligation, with the following exceptions:

a) The purchase of real estate abroad.

b) The purchase of foreign securities.

c) The acceptance of a monetary credit from a foreign exchange foreign national.

(2) In cases to which Paragraph 1 does not apply, a foreign exchange Czechoslovak national—legal entity

can contractually obligate himself to make monetary payments to a foreign exchange foreign national only after being granted a foreign exchange permit. The implementing regulations may stipulate additional cases for which this permit is not required.

PART FOUR
RIGHTS AND DUTIES OF FOREIGN EXCHANGE CZECHOSLOVAK NATIONALS—PRIVATE INDIVIDUALS

Division 1
Reporting Duty

Section 15

(1) A foreign exchange Czechoslovak national—private individual is obligated, at the behest of the Ministry of Finance of the republic on whose territory he resides, to report the following to that ministry for purposes of recordkeeping within the time stipulated:

a) Any monetary claims and monetary obligations involving a foreign exchange foreign national.

b) Any real estate holdings abroad and an overview of any income and expenditures resulting from such real estate within the period under consideration.

c) Any property participation abroad.

d) Any foreign securities holdings.

(2) In the event any monetary claims by a foreign exchange Czechoslovak national—private individual are accomplished through a designated legal entity, that legal entity shall report the claim for purposes of foreign exchange recordkeeping.

Division 2
Transfer of Claim Payments to Czechoslovakia

Section 16

(1) A foreign exchange Czechoslovak national—private individual is obligated to take all necessary action, without delay, to have payments made abroad in fulfillment of his claim, as well as foreign exchange means in accounts with foreign monetary institutions, transferred to Czechoslovakia, or transported to Czechoslovakia.

(2) A foreign exchange Czechoslovak national—private individual who is employed abroad must fulfill the duty stipulated in Paragraph 1 above without delay after returning to Czechoslovakia upon termination of his uninterrupted work activities abroad.

(3) The implementing regulation may stipulate cases in which a foreign exchange Czechoslovak national—private individual is not obligated to perform the duty listed in Paragraph 1 above. In justified cases, the foreign exchange Czechoslovak national—private individual can be relieved of this obligation by having a foreign exchange permit issued.

Division 3
The Duty To Deposit or To Offer Foreign Exchange for Sale and the Right To Purchase Foreign Exchange

Section 17

(1) A foreign exchange Czechoslovak national—private individual is obligated, within the time limit stipulated in Paragraph 3 below, to do the following with regard to any foreign exchange in his possession which exceeds the value of 5,000 korunas [Kcs]:

a) Deposit such funds in a foreign exchange account with the foreign exchange bank or

b) Offer the foreign exchange to the foreign exchange bank for purchase in return for Czechoslovak currency.

The foreign exchange bank is obligated to notify the foreign exchange Czechoslovak national, upon his request, what amount in the appropriate foreign currency corresponds to Kcs5,000.

(2) A foreign exchange Czechoslovak national—private individual is obligated, within the time limit stipulated in Paragraph 3, to offer gold (Section 2, Letter b)) for purchase to the foreign exchange bank in return for Czechoslovak currency or in return for foreign exchange. The obligatory offering program does not apply to gold coins.

(3) The duties outlined in Paragraphs 1 and 2 must be fulfilled by a foreign exchange Czechoslovak national—private individual within 30 days following the acquisition of foreign exchange and gold or 30 days after having learned of this acquisition or 30 days after becoming a foreign exchange Czechoslovak national. Foreign exchange and gold which the foreign exchange Czechoslovak national—private individual has acquired during his sojourn abroad and has imported into Czechoslovakia must be deposited by him in a foreign exchange account or offered to the foreign exchange bank for purchase within 30 days of returning from abroad.

(4) Foreign exchange means which do not exceed a countervalue of Kcs5,000 can be utilized by the foreign exchange Czechoslovak national—private individual, with the exception of cases listed in Section 7, Paragraph 3, and Section 23.

(5) For purposes of calculating the countervalue of Kcs5,000, the decisive factor is the exchange rate valid for the purchase of foreign exchange values or foreign exchange on the day the deadline for fulfilling the duties outlined in Paragraphs 1 and 2 begins.

(6) The duties outlined in Paragraph 1 do not apply to foreign exchange means which have been sold or issued by the foreign exchange bank within six months from the day they were purchased or within six months of the time the foreign exchange bank has issued a receipt for them. Within the stipulated time limit, the foreign exchange Czechoslovak national—private individual may handle

such foreign exchange freely, with the exception of cases listed in Section 7, Paragraph 3, and Section 23.

(7) In the event the foreign exchange bank refuses to purchase foreign exchange from the foreign exchange Czechoslovak national—private individual, it is obligated to issue him an appropriate confirmation. The foreign exchange Czechoslovak national—private individual may then handle such foreign exchange means within Czechoslovakia as well as abroad without restriction.

Section 18

The foreign exchange bank shall not examine whether the time limit stipulated in Section 17, Paragraph 3, has been observed in fulfilling the duties outlined in Section 17 and shall not verify the origin of acquisition of the offered or deposited foreign exchange means.

Section 19

(1) The implementing regulations may stipulate relief measures regarding the duties incumbent upon a foreign exchange Czechoslovak national—private individual according to Section 17.

(2) The issuance of a foreign exchange permit can relieve a foreign exchange Czechoslovak national—private individual of the duties listed in Section 17 or can result in extension of the deadline for their fulfillment.

Section 20

(1) The foreign exchange bank is obligated to sell to a foreign exchange Czechoslovak national—private individual, as well as to a foreign exchange foreign national, foreign exchange means in return for Czechoslovak currency in cases listed in this law, in the implementing regulations accompanying it, or in the case of a foreign exchange permit which can, in justified cases, be issued by a foreign exchange organ which has jurisdiction according to Section 6, Paragraph 2, Letter b).

(2) The sale of foreign exchange means according to Paragraph 1 above is accomplished in accordance with the exchange rate valid for the sale of foreign exchange by the foreign exchange bank on the day of the sale.

Section 21

(1) The foreign exchange bank is obligated to sell a foreign exchange Czechoslovak national—private individual foreign exchange means, in return for Czechoslovak currency, for purposes of paying expenditures connected with foreign travel to the extent published by the State Bank of Czechoslovakia for the period in question and issue an appropriate confirmation to that person.

(2) The sale of foreign exchange means according to Paragraph 1 above is accomplished according to the rate of exchange applicable for the sale of foreign exchange by the foreign exchange bank on the day on which the foreign exchange Czechoslovak national—private individual deposits the countervalue of the purchased foreign exchange means in Czechoslovak currency with the foreign exchange bank.

Division 4
Foreign Exchange Accounts

Section 22

(1) The foreign exchange bank is obligated to establish an interest-bearing foreign exchange account for a foreign exchange Czechoslovak national—private individual, upon his request, for purposes of depositing foreign exchange means in the agreed-upon foreign currency. This provision does not affect the procedures used by the foreign exchange bank according to special regulations.[6c]

(2) Foreign exchange means deposited in foreign exchange accounts established in accordance with Paragraph 1 above may be used by the owner or by another foreign exchange Czechoslovak national—private individual authorized by him, with the exception of cases listed in Section 17, Paragraph 3, and in Section 23.

(3) Foreign exchange accounts set up in accordance with Paragraph 1 above bear interest in the currency in which they are set up.

Division 5
Contractual Assumption of Monetary Obligations and Their Fulfillment

Section 23

(1) A foreign exchange Czechoslovak national—private individual may, without a foreign exchange permit, contractually obligate himself to undertake monetary fulfillment with regard to a foreign exchange foreign national in a foreign currency, with the exception of purchasing real estate abroad, purchasing foreign securities, and accepting monetary credits from a foreign exchange foreign national, if he can make use of the following to fulfill this obligation in harmony with this law:

a) Foreign exchange deposited in a foreign exchange account with the foreign exchange bank.

b) Foreign exchange which the foreign exchange bank is obligated to sell him according to Sections 20 and 21 above.

c) Foreign exchange which the foreign exchange bank has refused to purchase from him and for which it has issued him a confirmation.

d) Foreign exchange which the individual acquires during his sojourn abroad.

e) Foreign exchange which is exempt from the duties outlined in Section 17 above.

(2) A foreign exchange Czechoslovak national—private individual may, without a foreign exchange permit,

contract to make payments in Czechoslovak currency to a foreign exchange foreign national, with the following exceptions:

a) The purchase of real estate abroad.

b) The purchase of foreign securities, and

c) The acceptance of monetary credits from a foreign exchange foreign national.

(3) In cases not subject to the provisions of Paragraphs 1 and 2 above, the foreign exchange Czechoslovak national—private individual may contract to make monetary payments to a foreign exchange foreign national only after having been issued a foreign exchange permit. The implementing regulation may stipulate additional cases in which such a permit is not required.

Division 6
The Handling of Some Values

Section 24

(1) A foreign exchange Czechoslovak national—private individual, only if he possesses a foreign exchange permit, may make cost-free transfers to a foreign exchange foreign national or surrender any of the following to a foreign exchange foreign national's benefit:

a) Monetary claims made on a foreign exchange foreign national.

b) Real estate abroad.

(2) A foreign exchange permit according to Paragraph 1 above is not required to handle values listed in Paragraph 1 above in the case of death.

(3) The implementing regulation can stipulate additional cases in which a foreign exchange permit according to Paragraph 1 above is not required.

Section 25

A foreign exchange foreign national may acquire ownership rights in real estate located in the Czech and Slovak Federal Republic only under the following conditions:

a) By inheritance.

b) On behalf of a diplomatic representation facility of a foreign country, under conditions of mutuality.

c) In the event the real estate involved was acquired equally into coownership of a married couple of which only one member is a foreign exchange foreign national or if the foreign exchange foreign national—private individual is expected to acquire the real estate in question from spouses, parents, or grandparents.

d) By exchanging Czechoslovak real estate which he owns for another piece of Czechoslovak real estate, the value of which does not exceed the value of the original real estate.

e) If he holds prepurchase rights based on shared coownership of a piece of real estate.[6d]

f) If a construction project is involved which the foreign exchange foreign national built on his own lot.

g) If a special law[7] specifically so stipulates.

PART FIVE

Division 1
Importing and Exporting Foreign Exchange and Other Valuables

Section 26

(1) The import of foreign exchange values (Sections 1 and 2) into Czechoslovakia does not require a foreign exchange permit.

(2) A foreign exchange foreign national must have any import of gold confirmed by organs of the Customs Administration.

Section 27

(1) A foreign exchange Czechoslovak national—private individual may, without a foreign exchange permit, export the following when traveling to a foreign country:

a) Foreign exchange listed in a confirmation issued by the foreign exchange bank which is not any older than six months, and which indicates that the bank either sold it to him or issued it to him.

b) Foreign exchange not to exceed a countervalue of Kcs5,000 according to the exchange rate applicable to the purchase of foreign exchange at the foreign exchange bank on the day the foreign exchange is being exported.

c) Foreign exchange listed in a confirmation by the foreign exchange bank noting that it had refused to purchase such foreign exchange from the individual.

d) Payment cards made out in the name of the foreign exchange Czechoslovak national and issued by the foreign exchange bank.

(2) A foreign exchange foreign national may, without a foreign exchange permit, export or transfer abroad any foreign exchange, foreign payments documents, foreign securities, and deposit books made out in foreign currency, with the exception of those acquired within Czechoslovakia in violation of Czechoslovak law.

(3) A foreign exchange foreign national may, without a foreign exchange permit, export gold (Section 2, Paragraph 1, Letter b)) which he had imported into Czechoslovakia and which import he had organs of the Customs Administration confirm, as well as gold coins, if he can prove that he acquired them in Czechoslovakia by purchasing them from a person entitled to sell them. The export of inherited gold coins is regulated by Section 31, Paragraphs 3 and 4.

Section 28

(1) A foreign exchange Czechoslovak national who is staying abroad for purposes of engaging in employment or engaging in a profession, as well as his family members, may, without a foreign exchange permit, export valuables, foreign payments documents, deposit passbooks made out in a foreign currency, and foreign securities which they have imported into Czechoslovakia during such a sojourn, for the entire period of such a sojourn. They are obligated to have these values confirmed while importing them by organs of the Customs Administration.

Section 29

(1) The export of foreign exchange values not subject to the provisions of Sections 27 and 28 above requires a foreign exchange permit by the State Bank of Czechoslovakia.

(2) The implementing regulation may stipulate additional cases which do not require a foreign exchange permit according to Paragraph 1 above.

(3) The State Bank of Czechoslovakia may stipulate measures in SBIRKA ZAKONU to outline the maximum amounts of foreign exchange means which can be exported abroad in cash.

Division 2
Exporting and Importing Czechoslovak Currency and Other Values Expressed in Czechoslovak Currency

Section 30

(1) Exporting and importing valid Czechoslovak bank notes and coins, their transfer from abroad and to a foreign country, payments documents made out in Czechoslovak currency, as well as securities made out in Czechoslovak currency, is permitted only on the basis of a foreign exchange permit issued by the State Bank of Czechoslovakia.

(2) Without a foreign exchange permit, it is possible to import values listed in Paragraph 1 above which were exported in line with this law from Czechoslovakia.

(3) Without a foreign exchange permit, a foreign exchange Czechoslovak national and foreign exchange foreign national may export Czechoslovak currency in amounts stipulated in the implementing regulation to a foreign country.

(4) The implementing regulation may stipulate additional cases in which the export and import of values listed in the previous paragraph does not require a foreign exchange permit.

PART SIX
TRANSFER OF FOREIGN EXCHANGE AND OTHER FOREIGN EXCHANGE VALUES

Division 1
Transfer of Inheritances From Abroad

Section 31

(1) A foreign exchange foreign national may, without a foreign exchange permit, transfer or export to a foreign country the following items, provided conditions listed in Paragraph 2 are fulfilled:

a) Foreign exchange which he has inherited.

b) The countervalue of foreign exchange represented by inherited monetary means in Czechoslovak currency.

c) The foreign exchange countervalue of monetary means acquired as a result of the sale of inherited real estate.

d) The foreign exchange countervalue of monetary means acquired as a result of the sale of material chattels up to the time the inheritance proceedings have been completed.

(2) The transfer or the export of foreign exchange means according to Paragraph 1 above may be accomplished provided:

a) The inheritance has been confirmed, approved, or settled by the state notary system and that all fees having to do with the inheritance have been paid or

b) The inheritance has been approved by a foreign organ responsible for the estate and

c) The transfer is to be accomplished into a state in which such transfers to that state are not subject to foreign exchange restrictions or are conditioned by mutuality.

(3) In fulfilling the conditions listed in Paragraphs 1 and 2, the foreign exchange foreign national may, without a permit, also:

a) Transfer abroad, in foreign currencies, any interest amounts and winnings, which are part of any inherited deposits.

b) Transfer or export to a foreign country inherited gold coins, as long as he presents an opinion by a legal entity listed in the implementing regulations indicating that these are not historical coins.

(4) In cases to which the provisions of Paragraphs 1 through 3 do not apply, a foreign exchange permit, issued by the Ministry of Finance of the republic on whose territory the inheritance proceedings took place, is required.

Division 2
The Transfer of Subsistence Payments to a Foreign Country

Section 32

(1) A foreign exchange Czechoslovak national—private individual may, without a foreign exchange permit, fulfill any legal subsistence duties with regard to a foreign exchange foreign national living abroad, as long as he presents a certificate by the organ listed in the implementing regulations indicating that:

a) The legal duty to provide subsistence continues.

b) Subsistence is paid to a country or to a national of that country who is a contractual party to an international treaty regulating the collection and transfer of subsistence payments or a treaty in which foreign exchange restrictions are not asserted with respect to such transfers to Czechoslovakia or a treaty in which such transfers are permitted under conditions of mutuality.

(2) The duty outlined in Paragraph 1 may be fulfilled in the amount listed in the decision by a court or by court arbitration. The implementing regulations stipulate the maximum amount of subsistence which can be paid on the basis of an agreement between the parties and also stipulates the method of such payments.

(3) In cases to which the provisions of Paragraphs 1 and 2 do not apply, a foreign exchange Czechoslovak national may pay subsistence to a foreign exchange foreign national abroad only on the basis of a foreign exchange permit. The implementing regulation may stipulate additional cases in which such a permit is not required.

Division 3
Other Transfers

Section 33

(1) A foreign exchange Czechoslovak national may, without a foreign exchange permit:

a) Return any payments made by a foreign exchange foreign national to a foreign exchange Czechoslovak national which have been made without legal reasons.

b) Pay the expenditures connected with court proceedings or other legal proceedings abroad which have been initiated against a foreign exchange Czechoslovak national or by a foreign exchange Czechoslovak national in the fulfillment of duties stipulated by this law, including expenditures having to do with being legally represented.

c) Make payments abroad where such payments are obligatory according to an actionable decision by the court or an actionable decision by another legal Czechoslovak organ or if such payments are stipulated in generally binding Czechoslovak legal regulations.[8]

(2) Transfers to which Paragraph 1 does not apply may be made by a foreign exchange Czechoslovak national only after issuance of a foreign exchange permit. The implementing regulation may stipulate additional cases in which this permit is not required.

PART SEVEN
PROPERTY PARTICIPATION ABROAD

Section 34

(1) A foreign exchange Czechoslovak national may engage in property participation abroad only on the basis of a foreign exchange permit issued by the State Bank of Czechoslovakia in agreement with the Federal Ministry of Finance and the Federal Ministry of Foreign Trade.

(2) For purposes of this law, property participation abroad is understood to be a property share held by a foreign exchange Czechoslovak national in a legal entity which is a foreign exchange foreign national or property participation by a foreign exchange Czechoslovak national in an enterprise operated by a foreign exchange foreign national, provided such participation is connected with the rights of the foreign exchange Czechoslovak national to share in the profits, as well as his duties to share in any losses.

(3) A foreign exchange Czechoslovak national may transfer his property participation abroad to a foreign exchange foreign national only on the basis of a foreign exchange permit issued by the State Bank of Czechoslovakia in agreement with the Federal Ministry of Finance and the Federal Ministry of Foreign Trade.

(4) The implementing regulations issued by the Federal Ministry of Finance, the State Bank of Czechoslovakia, and the Federal Ministry of Foreign Trade may stipulate instances in which the permit mentioned in Paragraphs 1 and 3 above is not required and also stipulate the details of such a permit. Foreign exchange permits in accordance with Paragraphs 1 and 3 replace foreign exchange permits required according to Section 14 and Section 23, Paragraph 3, or possibly Section 10, Paragraph 2, and Section 16, Paragraph 3.

PART EIGHT
ACCOUNTS OF FOREIGN EXCHANGE FOREIGN NATIONALS

Section 35

(1) At the request of a foreign exchange foreign national, the foreign exchange bank is obligated to establish an interest-bearing account for that individual in Czechoslovak currency or in the agreed-upon foreign currency (hereinafter referred to as a "foreign account"). This does not affect any procedures adopted by the foreign exchange bank as outlined in a special regulation.[8a]

(2) The following are also considered to be foreign accounts:

a) A deposit account with a bank[8b] in cases where the owner of the account has become a foreign exchange foreign national or in case a foreign exchange foreign national has inherited such an account.

b) A deposit list issued by the bank in a case where its owner is a foreign exchange foreign national or its owner became a foreign exchange foreign national or in the event a foreign exchange foreign national has inherited such an account.

Section 36

(1) A foreign exchange foreign national may, without restriction, make use of foreign exchange he has on deposit in his foreign account which is established in a foreign currency to make payments abroad as well as within Czechoslovakia, with the exception of trade transactions (described in Section 7, Paragraph 3).

(2) A foreign exchange foreign national may, without restriction, make use of monetary means which he has on deposit in his foreign account in Czechoslovak currency to make payments within Czechoslovakia.

(3) Payments to a foreign country out of a foreign account maintained in Czechoslovak currency require a foreign exchange permit by the State Bank of Czechoslovakia. This permit is not required if the transfer involves an inheritance or subsistence payments (Sections 31 and 32). The implementing regulations may stipulate additional cases in which a foreign exchange permit is not required.

PART NINE
FOREIGN EXCHANGE CONTROL AND CONTROL OF IMPORTED AND EXPORTED VALUES

Division 1
Foreign Exchange Control

Section 37

(1) Within their own jurisdictions, foreign exchange control is implemented by the State Bank of Czechoslovakia and by the other foreign exchange organs.

(2) In implementing foreign exchange control, foreign exchange organs monitor whether and how the duties stipulated by this law and by regulations implementing this law are being fulfilled.

(3) Individuals who have duties in accordance with this law are obliged to cooperate with foreign exchange organs in conjunction with foreign exchange control, and shall, particularly, provide reports and explanations, upon request, regarding the circumstances which have a direct or an indirect significance with respect to judging the case which has possible foreign exchange consequences and to submit the necessary documents, as well as to make it possible for the organs conducting foreign exchange control to have access for such purposes to account books, record books, and other documents in such a manner as not to violate banking secrets.

Section 38

(1) In the event a foreign exchange organ finds that an individual whose foreign exchange activities are being monitored according to Section 37 has violated any obligations stipulated by this law, that individual shall be ordered to eliminate the identified shortcomings within a stipulated time.

(2) A foreign exchange organ may impose a fine of up to Kcs1 million upon a foreign exchange Czechoslovak national—legal entity which has violated the duties stipulated by this law. In so doing, the foreign exchange organ proceeds in accordance with regulations covering administrative proceedings.[8b]

(3) A fine imposed according to Paragraph 2 above is payable within 30 days from the day the legal decision regarding the imposition of a fine is delivered to the individual identified in Paragraph 2 above. Fines are transferred to the state budget of the republic which has jurisdiction according to the seat or residence of the individual on whom the fine has been levied.

(4) A foreign exchange organ may impose a fine according to Paragraph 2 above within one year from the day any violation of this law was found to have taken place, but no later than 10 years after the day the duty was violated.

Division 2
Control of the Import and Export of Values Regulated by This Law

Section 39

(1) The monitoring of adherence to the provisions of this law and to the implementing regulations regarding imports and exports of foreign exchange values (Sections 26 and 27), of Czechoslovak currency and other values expressed in Czechoslovak currency (Section 30) is a function of the Customs Administration. Such controls are undertaken in conjunction with regulations on protecting personal freedom and the secrecy of the mails.

(2) Customs Administration organs are authorized to require the reporting and presentation of imported and exported values according to this law. At the same time, they may require individuals who are importing or exporting such values to present the necessary documents.

(3) If the import or export of foreign exchange values, of Czechoslovak currency and other values expressed in Czechoslovak currency is tied to a permit or a certification or to another document, the importing or exporting individual is obligated to present such documents when importing or exporting the items to organs of the Customs Administration.

Section 40

Letter mail dispatched abroad which contains foreign exchange values, the exporting of which calls for a

foreign exchange permit, Czechoslovak currency or other values expressed in terms of Czechoslovak currency must be presented by the sender, prior to being presented for dispatch by the postal authorities, to the appropriate organ of the Customs Administration for control according to this law. Upon completing the examination, organs of the Customs Administration shall provide the shipment with a customs seal.

Section 41

(1) The organs of the Customs Administration shall accept for safekeeping any values the export of which requires a permit (Sections 27, 29, and 30) at border crossing points if the person traveling abroad does not have this permit and in view of the time or place of the border crossing cannot turn over such items for safekeeping to the foreign exchange bank at the border crossing point or return them to Czechoslovak soil.

(2) The organs of the Customs Administration shall also accept for safekeeping at border crossing points any Czechoslovak currency the import of which requires a foreign exchange permit, if the person traveling to Czechoslovakia does not have such a permit.

(3) The safekeeping in accordance with Paragraphs 1 and 2 above is regulated by the Civil Code. However, the right to have the items in safekeeping returned becomes extinguished and this item becomes forfeit to the state if the depositor does not request its return within one year from the day the Customs Administration organ accepted the item for safekeeping.

Section 42

(1) In cases where, according to special regulations,[9] exemption from customs examination applies or in cases where customs examination is not conducted, control according to this law is also not implemented.

(2) The organs of the Customs Administration are obligated, upon request, to confirm the import of foreign exchange values, the export of which without a foreign exchange permit is the condition, according to Section 26, Paragraph 2, and Section 27, Paragraph 3, and Section 28, for their prior import.

PART 10
FOREIGN EXCHANGE OFFENSES AND PROCEEDINGS GOVERNING FOREIGN EXCHANGE OFFENSES

Division 1
Foreign Exchange Offenses

Section 43

A foreign exchange offense is committed by anyone who does the following in violation of the provisions of this law:

a) Purchases, sells, exchanges, or otherwise trades foreign exchange values without authorization (Section 7).

b) Makes payments abroad and accepts payments from abroad without making use of a foreign exchange monetary institution (Section 8).

c) Fails to fulfill the reporting obligation (Sections 9, 15).

d) Fails to fulfill the duty to transfer to Czechoslovakia any amounts paid abroad to satisfy his claims or fails to transfer funds in accounts at foreign monetary institutions (Sections 10, 16).

e) Fails to fulfill the duty to deposit any foreign exchange or offer it for sale (Sections 11, 17).

f) Contractually takes on an obligation with respect to foreign exchange foreign nationals, purchases real estate abroad, purchases foreign securities, accepts monetary credits from a foreign exchange foreign national (Sections 14, 23).

g) Transfers, without cost, or relinquishes, to the benefit of the foreign exchange foreign national, any claims against a foreign exchange foreign national or those involving real estate abroad (Section 24).

h) Acquires Czechoslovak real estate (Section 25).

i) Makes transfers to foreign countries (Section 33, Paragraph 2).

j) Engages in property participation in a business abroad or transfers his property share abroad to a foreign exchange foreign national (Section 34).

k) Exports foreign exchange values (Sections 27, 29).

l) Imports or exports Czechoslovak currency and other values expressed in Czechoslovak currency (Section 30).

m) Does not report or present values at the behest of organs of the Customs Administration (Section 39, Paragraph 2).

n) Does not cooperate with foreign exchange organs engaged in the conduct of foreign exchange control (Section 37, Paragraph 3);

provided none of the above is a criminal act.

Division 2
Proceedings Involving Foreign Exchange Offenses

Section 44

(1) Foreign exchange offenses outlined in Section 43, Letters a) through j), are handled by the appropriate organs of local administration,[10] offenses outlined in Section 43, Letters k), l), m), are handled by organs of the Customs Administration, and foreign exchange offenses identified in Section 43, Letter n), are handled by foreign exchange organs. The latter organs make decisions regarding foreign exchange offenses according to special regulations,[11] provided this law does not stipulate otherwise.

(2) An offense according to Section 43, Letter a), shall be clarified by police organs.[11a]

(3) The method of recording the prosecution of foreign exchange offenses according to Section 43, Letter a), shall be regulated by the Government of the Czech and Slovak Federal Republic by decree.

Section 45

(1) The organs listed in Section 44, Paragraph 1, shall, taking into account any social endangerment, accord the following punishments:

a) A reprimand for foreign exchange offenses listed in Section 43.

b) A fine not to exceed Kcs20,000 for foreign exchange offenses listed in Section 43, Letters b) through n).

c) A fine not to exceed Kcs50,000 for a foreign exchange offense listed in Section 43, Letter a).

d) Forfeiture of items involved in foreign exchange offenses listed in Section 43, Letters a), k), l), and m).

(2) The punishment of forfeiture of items involved in a foreign exchange offense can be ordered independently or in conjunction with another punishment. Such a punishment may only be imposed where an item belongs to the perpetrator and was:

a) Used in the commission of the offense or intended to be used for that purpose or

b) Acquired as a result of the offense or acquired in the commission of the offense.

(3) The punishment of forfeiture of an item cannot be imposed if the value of the item is conspicuously disproportionate to the nature of the offense.

Section 46

(1) If the punishment of forfeiture was not imposed according to Section 45, Paragraph 2, it is possible to decide that such an item be confiscated, provided

a) It belongs to the perpetrator who cannot be prosecuted for the offense or

b) It does not belong to the perpetrator of the offense or

c) The perpetrator of the offense is not known.

(2) It is not possible to confiscate an item if its value is in conspicuous disproportion to the nature of the offense.

Division 3

Section 46a
Block Proceedings

A foreign exchange offense which has been reliably identified and for which agreement with the person who committed the offense is not sufficient can be handled by the organ listed in Section 44, with the agreement of such a person, in a block-type proceeding and can result in the imposition of a block fine not to exceed Kcs5,000.

PART 11
GENERAL, TRANSITORY, AND CONCLUDING PROVISIONS

Section 47

The provisions of this law are applied provided an international agreement which is binding upon the Czech and Slovak Federal Republic and which has been published in SBIRKA ZAKONU does not specify otherwise.

Section 48

(1) Decisions regarding foreign exchange permits according to this law are subject to regulations on administrative proceedings,[12] with the exception of cases listed in Paragraph 2.

(2) A decision by a foreign exchange organ is final and not subject to appeal.

Section 49

Implementing regulations for this law are issued, within the framework of its individual provisions, jointly by the Federal Ministry of Finance and the State Bank of Czechoslovakia, following agreement with the ministries of finance of the republics, where these provisions do not specify otherwise.

Section 49a

(1) The Federal Ministry of Finance, in agreement with the State Bank of Czechoslovakia and the Federal Ministry of Foreign Trade, shall regulate, by implementing regulations, the method of settling claims based on purchase orders of the Tuzex Foreign Trade Enterprise and on the remainders of the accounts maintained by that enterprise.

(2) Claims in accordance with Paragraph 1 above may be asserted within one year of the effective date of this law.

Section 49b

The State Bank of Czechoslovakia, in agreement with the Federal Ministry of Finance, shall promulgate measures, by publication in SBIRKA ZAKONU, to govern the procedure used by foreign exchange Czechoslovak nationals—legal entities in cases involving the acceptance of payments in foreign exchange in cash form in the area of operational recordkeeping and reporting.

Section 50

A foreign exchange permit issued to a foreign exchange Czechoslovak national or to a foreign exchange foreign national according to existing foreign exchange regulations is considered to be a foreign exchange permit according to this law, where it continues to be required in accordance with the provisions of this law.

Section 51

(1) Foreign exchange accounts of foreign exchange Czechoslovak nationals—private individuals, established in accordance with existing regulations, remain in force and, following the effective date of this law, shall be handled in accordance with its provisions.

(2) Foreign exchange accounts of foreign exchange Czechoslovak nationals—legal entities (Section 5, Paragraphs 1 and 3), established in accordance with existing regulations, remain in force with the exception of foreign exchange accounts established according to Section 11, Paragraph 3, until such time as the latter are exhausted. The use of the remainders in foreign exchange accounts is subject to provisions of Section 11, Paragraph 6. Foreign exchange accounts of foreign exchange Czechoslovak nationals—legal entities, established on the basis of foreign exchange permits, are governed by conditions stipulated in such permits.

Section 52

(1) The following are rescinded:

a) Foreign Exchange Law No. 162/1989 Sb., as amended by Law No. 109/1989 Sb. and Law No. 109/1990.

b) Provisions of Section 24, Article 1, of Law No. 404/1990 Sb. on mitigating the consequences of some property injustices.

c) Provisions of Section 26 of Law No. 427/1990 Sb. on the transfer of state ownership to some items to other legal or physical entities.

d) Federal Ministry of Finance and State Bank of Czechoslovakia Decree No. 169/1989 Sb. which implements the Foreign Exchange Law, as amended by Decree No. 234/1990 Sb.

Section 53

This law becomes effective 1 January 1991.

Article III of Law No. 228/1992 Sb.

(1) The following provisions of the above law are hereby rescinded:

1. Section 17, Paragraph 2, Letter e), Section 18, Paragraph 1, Section 19, Paragraph 1, Letter e), and Section 22, Letter j), of Law No. 42/1990 Sb. on economic contacts with foreign countries, as amended by subsequent regulations.

2. Federal Ministry of Foreign Trade and Federal Ministry of Finance Decree No. 8/1981 Sb. on customer vouchers issued by the Tuzex Foreign Trade Enterprise.

3. Federal Ministry of Finance Decree No. 370/1990 Sb. on the entitlement to sell goods and provide services on the territory of the Czech and Slovak Federal Republic in return for foreign exchange.

4. Federal Ministry of Finance and State Bank of Czechoslovakia Decree No. 583/1990 Sb. which implements the Foreign Exchange Law.

(2) Permits to sell goods and provide services in return for foreign exchange on the territory of the Czech and Slovak Federal Republic, which were issued according to Law No. 42/1980 Sb. on economic contacts with foreign countries, as amended by subsequent regulations, lose their validity on the day on which Law No. 228/1992 Sb. became effective.

Law No. 228/1992 Sb. became effective 1 July 1992.

Footnotes

1. Section 6 of Law No. 21/1992 Sb. on banks.

2. Law No. 135/1982 Sb. on reporting and recording the sojourn of citizens; Law No. 123/1992 Sb. on the sojourn of foreigners on the territory of the Czech and Slovak Federal Republic.

3. Law No. 116/1985 Sb. on the conditions for the activity of organizations having international elements in the Czechoslovak Socialist Republic, as amended by Law No. 157/1989 Sb.

3a. Section 2, Paragraph 2, of Law No. 513/1991 Sb.—Commercial Code.

4. Law No. 308/1991 Sb. on the freedom of religious belief and the standing of churches and religious societies.

5. Law No. 222/1946 Sb. on the postal service (Postal Law).

6. The Commercial Code.

6a. Law No. 119/1992 Sb. on compensation for travel costs.

6b. Law No. 531/1990 Sb. on bonds.

6c. Section 37 of Law No. 21/1992 Sb. on banks.

6d. Law No. 40/1964 Sb.—Civil Code, as amended by subsequent regulations (complete text of Law No. 47/1992 Sb.).

7. For example, Law No. 403/1990 Sb. on mitigating the consequences of some property injustices, as amended by subsequent regulations; Law No. 42/1990 Sb. on transferring state ownership of some items to other legal entities or private individuals, as amended by subsequent regulations; Law No. 91/1991 Sb. on conditions for the transfer of state property to other individuals, as amended by Law No. 92/1992 Sb.

8. For example, Law No. 119/1990 Sb. on court rehabilitations.

8a. Law No. 21/1992 Sb. on banks.

8b. Law No. 71/1967 Sb. on administrative proceedings (Administrative Code).

9. Customs Law No. 44/1974 Sb., as amended by subsequent regulations.

10. Czech National Council Law No. 200/1990 Sb. on offenses; Slovak National Council Law No. 372/1990 Sb. on offenses, as amended by Slovak National Council Law No. 524/1990 Sb.; Czech National Council Law No. 425/1990 Sb. on okres offices, the regulation of their jurisdictions, and on some measures connected therewith; Slovak National Council Law No. 472/1990 Sb. on the organization of local administrations.

11. Czech National Council Law No. 200/1990 Sb. on offenses; Slovak National Council Law No. 372/1990 Sb. on offenses.

11a. Slovak National Council Law No. 204/1991 Sb. on the Police Corps of the Slovak Republic; Czech National Council Law No. 283/1991 Sb. on the police in the Czech Republic.

12. Law No. 71/1967 Sb. on administrative proceedings (Administrative Code).

Law on Employment

92CH0979A Prague HOSPODARSKE NOVINY in Czech 1 Sep 92 pp 15-17

[Text of Law on Employment published by the Presidium of the Federal Assembly, effective 1 February 1992]

[Text] The Presidium of the Federal Assembly hereby publishes the complete text of the Law on Employment, Law No. 1/1991 Sb. [Collection of Laws] with changes and supplements based on Law No. 305/1991 Sb., Law No. 578/1991 Sb., and Law No. 231/1992 Sb.

The Federal Assembly of the Czech and Slovak Federal Republic has agreed upon the following law:

The attainment of full productive and freely chosen employment is one of the fundamental goals of the economic and social policies of the state. Citizens have the right to be employed, without regard to race, color of skin, sex, language, religion, political or other opinion, membership in political parties or membership in political movements, nationality, ethnic or social origin, property, status of health, or age.

PART ONE
INTRODUCTORY PROVISIONS

Section 1
The Right To Be Employed

(1) The right to be employed is understood to be the right of citizens who desire and are able to work and are actually seeking work to the following:

a) To have their working capabilities applied in a suitable type of employment.

b) To the necessary requalification required to make their work useful.

c) To material support prior to entering upon employment and in the event of employment loss.

(2) A citizen has the right to secure suitable employment commensurate with his state of health, with a view toward his age, qualification, and capabilities, toward the length of previous employment, and with a view toward the possibilities for the provision of quarters (hereinafter referred to as "suitable employment").

(3) A citizen has the right to freely choose his employment and to pursue such employment on the entire territory of the Czech and Slovak Federal Republic, or he may secure employment abroad.

(4) The right of a citizen to be employed is secured primarily by his work assertion in the type of employment making it possible for him to work in a work relationship. Legal entities or private individuals are obligated to fulfill any current tasks based on the type of their activities through the services of their employees, who are in work relationships in accordance with the Labor Code; this provision does not apply to the fulfillment of current tasks which a private individual handles personally or with the assistance of his spouse or children or, in the case of a legal entity, to tasks handled by the partners or members. Current tasks based on the types of activities involved are understood, for these purposes, to mean particularly those tasks which are directly connected with supporting production or the rendering of services and similar activities involved in undertakings defined in special regulations which are undertaken by legal entities or private individuals in establishments designated for these activities or at locations which are customary for such activities, in their own name and at their own responsibility.

Section 2

(1) Participants in legal relationships coming into existence in accordance with this law are:

a) The appropriate state organs.

b) Citizens.

c) Legal entities employing citizens and legal entities which are entitled to engage in entrepreneurial activities according to legal regulations and who employ citizens for such purposes.

d) Legal entities and private individuals who engage in activities according to this law, particularly in brokering employment, requalification, and work rehabilitation, provided this law does not stipulate otherwise.

(2) Citizens as participants in the legal relationships defined by this law are Czechoslovak citizens. Identical

legal standing is enjoyed by foreigners and stateless individuals, who are employed according to Czechoslovak legal regulations; however, they can be employed only if they are granted permission to reside on the territory of the Czech and Slovak Federal Republic[1] and if they are granted a work permit.[2]

(3) A work permit is not required to employ a foreigner (a person who is stateless).

a) Who has been recognized as a refugee,[26] provided:

1. He has completed three years of residency on the territory of the Czech and Slovak Federal Republic, or

2. He has married a citizen of the Czech and Slovak Federal Republic, provided this marriage is continuing, or

3. He has at least one child with Czech and Slovak Federal Republic citizenship.

b) Who has been granted a permit to reside permanently on the territory of the Czech and Slovak Federal Republic.

c) Who is a family member of a diplomatic mission, a consular office, or a family member of an employee of an international government organization which is headquartered on the territory of the Czech and Slovak Federal Republic, provided an international treaty, negotiated in the name of the Government of the Czech and Slovak Federal Republic, guarantees mutuality.

(4) An employment permit is also required if a foreigner (a stateless individual) is expected to work on the territory of the Czech and Slovak Federal Republic in a work relationship involving a foreign employer who has dispatched this individual for purposes of executing this function on the basis of a commercial or another treaty concluded with a domestic legal entity or private individual.

Section 3
State Employment Policy

(1) State employment policy is aimed at attaining a balance between the supply and demand for manpower, the productive utilization of manpower resources and to secure the right of citizens to employment; this policy is assured by the Federal Ministry of Labor and Social Affairs and, at the republic level, by state organs, which are subject to the provisions of laws passed by the national councils.[2]

(2) In safeguarding state employment policy, the Federal Ministry of Labor and Social Affairs shall particularly:

a) Consistently monitor and evaluate the situation in the labor market and work out forecasts and strategies for the development of employment.

b) Propose measures to influence the demand for and supply of work and shall work toward creation of harmony between manpower resources and manpower requirements on a statewide scale.

c) Propose programs for additional work assertion on the part of employees in the event of large structural changes conducted within the jurisdiction of federal central organs.

d) Regulate the employment of manpower from abroad on the territory of the Czech and Slovak Federal Republic and manpower from the Czech and Slovak Federal Republic abroad.

e) Propose measures to realize tasks devolving upon the Czech and Slovak Federal Republic as a result of concluded international agreements in the area of employment.

PART TWO
ASSURING THE RIGHT TO EMPLOYMENT

Brokering Employment

Section 4

(1) For purposes of this law, the brokering of employment is understood to involve activities aimed at seeking out suitable employment for a citizen who is seeking work. Information and consulting activities are also part of employment brokerage.

(2) Employment is brokered by appropriate territorial state labor organs who are charged with this activity in accordance with the law passed by the national council (hereinafter referred to as "territorial labor organs"); other legal entities or private individuals may engage in brokering employment only under conditions stipulated by this law.

(3) Territorial labor organs broker employment on a cost-free basis all over the territory of the Czech and Slovak Federal Republic.

Section 5

(1) Employment brokerage activities can also be conducted by a legal entity or by a private individual, for a fee, provided the broker has a permit to engage in such activity.[2] In brokering employment for a fee, an appropriate fee, which is listed in the permit and which is an expression of the actual expenditures connected with brokering activities, may be collected from the employer or from the citizen.

(2) The size of the fee for brokering employment for a fee, as defined in Paragraph 1 above, is determined on the basis of a table of fees which is established or approved by the appropriate state organ.[2]

(3) Brokering employment for a fee according to Paragraph 1 above is not considered to involve the publication of employment offers in communications media, for

a fee, when direct brokering activity involving employers and citizens does not take place.

(4) In connection with brokering employment, any kind of deductions from wages or other remuneration granted employees for performing work for another person who has brokered the employment are prohibited; the same holds true for any kind of deductions to benefit the employer in conjunction with accepting an employee into an employment status or connected with a promise to keep his job open.

Section 6

(1) A citizen assures himself of suitable employment with the assistance of the appropriate territorial labor organ, provided he does not secure a job himself.

(2) A citizen applies to that territorial labor organ in whose district he has permanent residence to broker him a job; he may request any territorial labor organ to provide him with information regarding the opportunities for employment and information on vacant jobs, as well as consulting services having to do with employment. For such purposes, territorial labor organs keep a listing of open jobs (Section 8, Paragraph 2).

Section 7

(1) A citizen who is not in a working or similar relationship, and is not engaging in independent earning activities, nor preparing consistently for a profession and who applies in person to a territorial labor organ (Section 4, Paragraph 2) on the basis of a written application to have a suitable employment brokered for him (hereinafter referred to as "applicant for employment"), is entered into the records of employment applicants (Section 8, Paragraph 1).

(2) An applicant for employment shall, upon the request of the territorial labor organ, provide it with all necessary cooperation with regard to employment brokerage.

(3) An applicant for employment can be excluded from the records if, without serious reasons, he refuses to accept suitable employment or if he deliberately fails to cooperate with the territorial labor organ in brokering his employment; in these cases, the earliest time at which he can again be listed among the job applicants in the records is upon the expiration of three months.

(4) For purposes of this law, consistent preparation for a profession is understood to include the time after completion of the course of studies (preparation for a profession) at a middle school or at an advanced school[19] or at another school at which, according to generally binding legal regulations, such preparation is undertaken, provided the citizen involved continues with his studies (preparation for a profession) at the same or at another school immediately thereafter.

Section 8

(1) The records of job applicants contain particularly the necessary personal data on the applicant for a job, data on his qualifications, his work experience in previous employment situations, the direction of his interests regarding certain jobs, data on his personal and family relationships having to do with brokering employment, and data on his state of health.

Provided a special law does not stipulate otherwise, the personal data on an applicant for employment can be communicated only for purposes of brokering employment.

(2) The record of open jobs contains the basic characteristics of the job, particularly the type of work involved, the prerequisites and requirements stipulated for holding the job and basic information on working and wage conditions, the possibilities for housing, and the placement of children in preschool facilities.

Section 9

(1) In brokering employment, increased care is devoted to those applicants who need jobs because of their state of health, age, maternal status, or for other serious reasons. In addition to citizens who have a changed working capability, as defined in Section 21, such people are particularly the following:

a) Young people, upon completion of mandatory school attendance, who are not continuing to further prepare for a profession.

b) Graduates of middle schools and advanced schools, following their first job.

c) Pregnant women, citizens caring for a child of less than 15 years of age or for a long-term seriously ill member of the family, requiring special care.

d) Job applicants who are older than 50 years of age and those who were released from their jobs as a consequence of structural changes, organizational or rationalization measures which were implemented on the basis of programs of the appropriate government and of the central organs.

e) Job applicants who have been listed in the records of job applicants for longer than six months.

f) Citizens who require special assistance.[3]

g) Citizens who are not socially adapted.[4]

(2) At the request of the territorial labor organ, the employer shall select those of the reported vacant positions (Section 19, Paragraph 2) which are suitable for job applicants listed in Paragraph 1 above.

Requalification

Section 10

(1) For purposes of this law, requalification is understood to be such a change in the existing qualifications of an applicant for employment which it is necessary to secure through the acquisition of new knowledge and skills through theoretical or practical training, making it possible for the applicant to assert his work efforts in suitable employment. In determining the content and extent of such training, existing qualifications of the applicant for employment are made use of to the maximum extent possible in the acquisition of new knowledge and skills, which are essential in the performance of work in the employment for which the applicant is being requalified; on this basis, the determination is also made with regard to the method by which requalification will be supported, as well as the duration of such support. It is possible to adopt similar procedures in cases in which the job applicant has hitherto not acquired any qualifications.

(2) Requalification is conducted on the basis of a written agreement concluded between the job applicant and the territorial labor organ which has offered to support him during his requalification. The agreement particularly lists the content of the requalification, the method of support and duration of such support and conditions for material support during the period of requalification.

Section 11

(1) Requalification conducted by employers in the interest of the further work assertion of their employees is conducted on the basis of the written agreement concluded between the employee and the employer.

(2) Requalification is undertaken during working time and is an obstacle to the work performed by an employee; for this period, the employee is entitled to wages equal to his average earnings. Requalification outside of working hours is done only where it is unavoidable, in view of the method for supporting it.

(3) Requalification as defined in Paragraph 1 above is not involved in cases where the employee participates in theoretical or practical training which

a) The employer is obligated to support for his employee in accordance with appropriate legal regulations and which the employee is obligated to attend in conjunction with the performance of his employment.

b) The employee undertakes training in his own interest and where the work performed by him for the employer does not necessarily require changes in his existing qualifications.

In such cases, appropriate provisions of labor regulations which regulate the participation of employees in training and study programs during employment[5] apply.

Material Support for Job Applicants

Section 12

(1) A job applicant, for whom suitable employment has not been found within seven calendar days from the day he submitted his application according to Section 7, Paragraph 1, above, or who has not been assured of the possibility of requalifying for a new job suitable for him, shall be granted material support.

(2) The facts which are decisive with respect to the granting of material support must be certified by the job applicant to the territorial labor organ, particularly in terms of data listed in the employment certification[6] and changes in these facts must be reported, at the latest, within seven calendar days.

(3) A job applicant is entitled to material support when he fulfills the stated conditions, effective on the day he submits an application according to Section 7, Paragraph 1, above. In the event the job applicant requests that a job be found for him at the latest within three days from the day his job terminates, he is entitled to material support beginning as early as the day following the termination of his employment.

Section 13

(1) Material support is granted to a job applicant who meets the condition of having been employed in his previous job for a total of at least 12 months out of the last three years prior to submitting the application for having employment brokered for him.

(2) For purposes listed in Paragraph 1 above, the time of employment shall include the time for study (preparation for a profession) listed in Section 7, Paragraph 4, above and the time of training for a profession involving citizens whose work abilities have changed.[20]

Section 14

(1) Material support is not granted where the job applicant:

a) Meets the conditions for being entitled to old-age pension or disability pension, with the exception of the disability pension of a disabled citizen who is capable of systematically holding down a job only under totally extraordinary conditions.[7]

b) Is materially supported on the basis of monetary payments based on health insurance, which replace any missed wages (earnings).

c) Has entered basic (alternate) military service, civil service, is under arrest, or is serving a prison sentence.

d) Without serious personal or family reasons, refuses to accept a suitable job or engage in requalification for a new job or fails to fulfill the essential duties involved in requalification for a longer period of time.

e) Deliberately frustrates cooperation with the territorial labor organ in brokering his employment.

f) Has repeatedly terminated employment by himself during the last six months without serious reasons, or whose job was terminated during that time for cause or for violating any duties based on that employment.

(2) Material support is also not granted for any period exceeding 30 calendar days during which the job applicant resides abroad.

(3) Material support payments are not paid abroad.

Section 15

(1) Serious personal or family reasons in cases listed in Section 14, Paragraph 1, Letter d), above are considered to be the following:

a) Essential personal care for:

1. A child under three years of age,

2. A long-term seriously health-impaired child which requires extraordinary care, as long as it has not been placed in an institution for such children.

3. A next of kin who is predominantly or totally helpless and has not been placed in an institution for social care or in a similar health care facility.

b) The attendance of children in preschool facilities and the compulsory school attendance of children.

c) The location and character of employment of a second spouse.

(2) Serious reasons in cases listed in Section 14, Paragraph 1, Letter f), are considered to be the following, if the employee terminates his employment:

a) For serious personal or family reasons as listed in Paragraph 1, Letters a) through c), above.

b) For reasons involving the violation of the essential duties by the employer, duties which were based on legal provisions, on a collective contract, or on agreed-upon working conditions.

c) For reasons of health, where the employee was no longer able to perform his work according to a certificate by a physician, (according to a decision) by the organ of state health administration or by a social security organ, or possibly as a result of attaining the maximum permissible exposure.[8]

Section 16

(1) Material support is granted to a job applicant for a maximum period of six months (hereinafter referred to as the "support period"), provided Paragraphs 2 and 4 above do not stipulate otherwise.

(2) An applicant for employment for whom the territorial labor organ sponsors requalification (Section 10) is not provided with material support until after the requalification period has terminated; after completing requalification, material support is granted to this job applicant only under conditions stipulated in Paragraph 7 above. For purposes of granting material support according to that provision, the condition for the overall period of prior employment, as defined in Section 13 above, is considered to have been met.

(3) In the event of work disability, material support is granted to a job applicant after the expiration of the protective time limit based on the employment, as stipulated in regulations on health insurance, when he is no longer entitled to health insurance benefits. In the event this job applicant proves that he had higher expenses connected with his illness or his accident during his period of work disability, the amount of material support he receives can be increased up to the health insurance benefits to which he would normally be entitled according to the regulations on health insurance based on his last employment.

(4) The computation for support time does not include the following:

a) The time during which the job applicant was granted material support according to Paragraph 3 above.

b) The time during which he was materially supported through monetary hospital insurance payments which replaced missed wages and, for this reason, he was not granted material support according to Section 14, Paragraph 1, Letter b).

c) The time during which he was employed on a short-term basis according to Section 17, Paragraph 7.

d) The time of basic (alternate) military service and civil service.

(5) Support time does include the time during which the job applicant was excluded from the records according to Section 7, Paragraph 3, or the time during which he was in custody or was serving a prison term or the time for which material support was not granted to him in accordance with Section 14, Paragraph 1, Letters d) through f), and according to Paragraph 2.

(6) Upon the expiration of the required amount of support time, the job applicant is granted material support in accordance with regulations on social security;[9] according to these regulations, material support is also due a job applicant who is not entitled to material support according to this law.

(7) Upon expiration of the period of support time, the job applicant is again entitled to material support according to this law, only provided he has taken a job after the expiration of that time and is meeting the conditions of the total employment time of his previous job (Section 13, Paragraph 1), which amounts to six months for purposes of the repeat granting of material support.

Section 16a

(1) A job applicant who was granted compensatory pay[21] or severance pay[22] in his last job is not granted material support until the expiration of the time which is commensurate with the amount of compensatory pay or severance pay; this time period is determined in accordance with the appropriate multiple of the average monthly earnings or monthly service pay which went into determining the size of the compensatory payment or the severance pay for the job applicant. The provisions of the preceding sentence do not impact on the granting of material support for the overall period stipulated by this law.

(2) According to Paragraph 1, a similar procedure is invoked in the event the job applicant has been granted compensatory or severance pay while receiving material support or upon expiration of this time period. In such a case, the job applicant is obligated to return the material support payments granted, which correspond to the time for which compensatory or severance pay was received.

Section 17

(1) The amount of the material support payment is established on the basis of the average monthly net earnings the job applicant attained in his last employment; the amount is set at 6 percent of this earnings level for the first three months and at 50 percent of the earnings for the remainder of the time. A job applicant who has begun requalification training is granted 70 percent of his average monthly net earnings he attained in his last job for the period of the requalification training.

(2) To the extent to which a job applicant who is not entitled to material support payments according to Section 14, Paragraph 1, Letter f), above has begun requalification training, he shall be granted 70 percent of his average monthly net earnings attained in his last job for the period of the requalification training.

(3) In setting the amount of material support payments according to Paragraphs 1 and 2 above, use is made of the applicant's monthly net earnings which have been identified for him and which were last used for labor law purposes in his last job according to Labor Code regulations on determining and using average earnings;[10] if these Labor Code regulations were not asserted in his case in view of an arrangement called for by special regulations for legal relationships under which he was performing his last employment, his average monthly net earnings (income) are determined for purposes of establishing material support in a manner commensurate with these Labor Code regulations.

(4) Job applicants who have hitherto been unemployed and whose entitlement to material support came into being by including the time period identified in Section 13, Paragraph 2, have their levels of material support established at the appropriate percentage rate listed in Paragraph 1 and based on an amount stipulated in regulations on social security as a fictitious earning with respect to some groups of citizens;[23] in determining the amount of fictitious earnings, use is made of the rate listed in the social security regulations for cases other than the establishment of disability (partial disability) pensions for citizens in conjunction with the fulfillment of tasks in the armed forces or for participants in the resistance movement.

(5) A job applicant who held his last job:

a) As an independent earning activity and was a participant in the social security system as an independent earner.

b) Abroad and was a participant in the social security system of the Czech and Slovak Federal Republic during that time has the amount of his material support payments based on the average assessment basis for the past 12 calendar months for purposes of social security.

(6) In setting the amount of the material support payments for a job applicant listed in Paragraph 5 above who was a participant in the social security system for a period less than 12 calendar months and for job applicants who have thus far not been employed and whose entitlement for material support arose as a result of requalification training according to Section 16, Paragraph 2, above, the basis is the fictitious earning level identified according to Paragraph 4.

(7) If a job applicant has taken a job which is not suitable employment for him or in which he can perform the work only for a period shorter than the required weekly worktime and if this job was brokered for him for a period shorter than six months (short-term employment), he shall be granted material support payments, upon conclusion of the employment, as long as this is more advantageous to the job applicant, in such an amount to which he would be entitled had he not accepted this short-term job.

(8) Material support payments set in accordance with Paragraphs 1 through 7 above are granted, at a maximum, up to the level commensurate with a multiple of 1.5 times (and for the period of requalification training, 1.8 times) the level of the fictitious earning listed in Paragraph 4 above; this provision does not impact on increasing the amount of material support according to Section 17a below.

(9) Material support payments are paid monthly with a monthly lag time; in justified cases, advances can be paid and accounted for in subsequent payments. If the conditions for granting material support are met only for part of the month, material support is due for each calendar day these conditions were fulfilled at the level of one-thirtieth; the resulting payment is rounded off to whole korunas upward.

Section 17a

(1) A job applicant who is a citizen with an impaired work capability (Section 21) is granted an increase in his

material support payment for his wife, provided she is living with him in a common household and cannot, for serious reasons, be active in earning a living or does not have her own gross income higher than 800 korunas [Kcs] per month, and for his children or the children of his spouse who is not entitled to supplemental payments for children (education money) or who is not entitled to a disability pension. The increase for a wife is granted at a level of Kcs400 per month and the supplement for children corresponds to the appropriate level of supplemental payments for children.

(2) A child in accordance with Paragraph 1 above is understood to be a direct (adopted) child or possibly a child taken over for care to replace parental care on the basis of the decision of the appropriate organ, provided the child fulfills the conditions of being a minor child according to the social security law.[24]

(3) If the social conditions of the job applicant, who is a citizen with an impaired work capability, so justify, it is possible to grant an increase in the material support payment of up to Kcs300 per month for each family member living with this individual in a common household. Family members of such a job applicant are considered to be the following, in addition to his wife and children:

a) Grandchildren and siblings, under conditions listed in Paragraph 2 above.

b) Parents, grandparents, father-in-law and mother-in-law, son-in-law and daughter-in-law.

c) The sister or daughter of a widowed, divorced, or single job applicant who is a citizen with an impaired work capability and who cares for his minor children up to the age of compulsory school attendance.

d) Common-law wife (husband), provided she lives with him for at least three months and has no pension or any other income.

Section 18

(1) If, as a result of his fault, the job applicant has been granted and paid material support payments illegally or in an amount greater than he was entitled to, particularly because he concealed or incorrectly listed some one of the decisive facts or if he failed to fulfill his reporting duty, he is obligated to return the illegally accepted material support payments or the incorrect amount paid and must do so as of the day from which he was not entitled to any material support payments at all or from the day from which he was no longer entitled to the amount paid. The entitlement to have the material support payments resume expires upon the expiration of three years, a time limit which begins to run as of the day such payments were made.

(2) If subsequent information indicates that material support payments were granted at a lower level than that to which the job applicant was entitled or that the job applicant was illegally denied such payments or if such payments were begun on a later day than that from which he was entitled to receive them, material support payments are supplementally granted, increased, or paid. The entitlement to supplemental granting of material support payments or parts of support payments expires upon the expiration of three years, a period which begins to run as of the day on which the material support payments or their parts became an entitlement for the job applicant.

(3) The provisions of Paragraphs 1 and 2 above are also applicable in the event of material support payment increases according to Section 17a above.

(4) A job applicant who is engaged in a dispute regarding termination of employment with an employer is granted advance material support payments. If the appropriate organ decides that the employment relationship continues and if the employer is obligated to provide monetary compensation for the period for which no work was assigned,[25] the job applicant is obligated to return the advance material support payment; the provisions of Paragraph 1, Sentence 2, are also applicable here.

PART THREE
PROCEDURES USED BY EMPLOYERS IN EMPLOYING CITIZENS

Section 19

(1) An employer can acquire employees in the necessary numbers and of the necessary structure through his own selection or with the assistance of territorial labor organs over the entire territory of the Czech and Slovak Federal Republic; this does not impact on the provisions of Section 24 below.

(2) An employer shall report to the appropriate territorial labor organ any available jobs and their characteristics within five calendar days and shall, without delay, but at the latest within five calendar days, also report any of these jobs that have been filled. Available jobs are understood to be newly created or freed-up jobs for which the employer intends to recruit employees.

(3) If it is not possible to accept a Czechoslovak citizen for an open job, particularly one of the job applicants, then the employer may, on the basis of the permission issued by the appropriate territorial labor organ, even recruit employees abroad for these open jobs.

Section 20

(1) In the event an employer intends to undertake structural changes, organizational or rationalization provisions, as a consequence of which employees would be released, he shall inform the appropriate trade union organ of the trade union organization of these facts in sufficient time—as a rule, three months prior to their implementation; he shall particularly provide information regarding the reasons for the intended provisions, the number and structure of employees who will be impacted, and shall discuss with the trade union organ any provisions facilitating the avoidance or limitation of

the intended employee cuts and measures to mitigate any unfavorable consequences of the job cuts for these employees, primarily the possibility for placing them in suitable jobs at other work sites operated by the employer. Similarly, the employer shall inform the appropriate territorial labor organs.

(2) An employer releasing employees according to Paragraph 1 above shall inform the appropriate territorial labor organ regarding the number and qualificational structure of the displaced employees prior to terminating their employment.

(3) If an employer, in connection with making a transition to new entrepreneurial programs, cannot guarantee his employees work to the extent of the stipulated weekly working time and if, in the interest of avoiding or limiting the release of employees, he restricts his operations, in agreement with the territorial labor organ, for a temporary period not to exceed six months, and, as a result of this, he will not be assigning work to the extent of at least 10 percent of the stipulated weekly working time, he shall be entitled, on the basis of this agreement, to a contribution for the partial compensation of the wages paid employees according to labor law regulations.

(4) In the agreement, which the employer negotiates with the territorial labor organ in conjunction with restricting his operational activities according to Paragraph 3 above, under conditions stipulated by the appropriate state organs of the republic, which are spelled out by laws of the national councils,[2] the following will be particularly emphasized:

a) The extent and time of restricting the employer's operational activities.

b) The number of employees and their circle (selected trades) which will be impacted by the limitation of operational activities.

c) The amount of the contribution to be paid to the employer, or the conditions for refunding the contribution to the territorial labor organ.

d) The organizational measures taken by the employer, aimed at resuming the operational activities to their full extent.

PART FOUR
EMPLOYING CITIZENS WITH AN IMPAIRED WORK CAPABILITY

Section 21

(1) A citizen with an impaired work capability is a citizen who, on the basis of a long-term unfavorable state of health, suffers a substantially restricted ability to assert his work capability, or suffers restricted possibilities to prepare for work assertion; citizens with an impaired work capability are also recipients of pensions conditioned by long-term unfavorable health situations, to the extent to which the preserved work capability allows them to assert their work capabilities or allows them to train for this assertion.

(2) A citizen with an impaired work capability is always a citizen who:

a) On account of a long-term unfavorable health condition is capable of consistently performing in a job only in a manner which is totally disproportionate to his previous capabilities and with regard to the social significance of his previous employment.[11]

b) Is a recipient of a partial disability pension; or

c) Has been recognized as being partially disabled, even if not entitled to a partial disability pension.

(3) A citizen with an impaired work capability suffering from a more serious health problem is a citizen whose opportunity to assert himself in the workplace, including in training for the workplace, is extraordinarily impaired and who can assert himself only in an extremely narrow field of jobs, or in jobs with extraordinarily adjusted working conditions.

(4) A citizen with an impaired work capability with serious health problems is always a disabled citizen who is capable of consistently performing in a job only under completely extraordinary conditions, as well as being a citizen who can train for a future profession only under completely extraordinary conditions because of his long-term unfavorable health status.

(5) Citizens who are not subject to the provisions of Paragraphs 2 and 4 above are citizens with impaired work capabilities or possibly citizens with impaired work capabilities with serious health problems only on the basis of decisions made by the appropriate state organs.

(6) The provisions of Paragraphs 1 through 5 do not apply to citizens who are older than 65 years of age.

Section 22

(1) Citizens who have an impaired work capability combined with serious health problems are placed particularly in production cooperatives of invalids, in economic facilities of unions of people with impaired health, and in protected workshops and work sites, which are established or set aside by employers.

(2) Where employers establish and operate protected workshops and work sites as a result of agreement with the territorial labor organ, they are granted contributions for that purpose.[12]

Section 23

Citizens with an impaired work capability are granted work rehabilitation treatments as contiguous care aimed at making it possible for them to perform their existing jobs or other suitable employment; this care incorporates consultation services in selecting a profession or a different work assertion, training for this work assertion,

placement in employment, and the creation of suitable conditions for the performance of a job.

Section 24

(1) Employers are obligated to do the following for citizens with an impaired work capability:

a) Report suitable jobs and their staffing to the territorial labor organ.

b) Create suitable jobs and assure the existence of suitable conditions for the performance of the work.

c) In cooperation with the territorial labor organ, with organs of the state health administration, with the appropriate trade union organ of the trade union organization, and with the appropriate cooperative organs, set aside jobs which are particularly suitable for citizens with an impaired work capability and submit lists of these jobs, complete with a description of the work activity and the working conditions involved, to the territorial labor organ.

d) Staff the jobs listed in the listing of available jobs set aside for citizens with impaired work capability with such citizens on a priority basis, predominantly using their own employees who have suffered a change in their work capability, as well as citizens with an impaired work capability who have been recommended for employment by the territorial labor organ.

e) By individually adapting jobs and working conditions, expand the possibility for the employment of citizens with an impaired work capability even in jobs not set aside for such purposes and assign them casual work and work which they can perform at home on a priority basis.

f) Train citizens with an impaired work capability to perform work and devote special care to increasing their qualifications during the time they are employed.

g) Maintain records.

(2) An employer is obligated to hire citizens with an impaired work capability recommended to him by the territorial labor organ to staff open jobs set aside for such citizens up to the obligatory share in the total number of his employees. An employer is also obligated to hire only these types of citizens for open jobs set aside for citizens with an impaired work capability if so ordered by the territorial labor organ.

(3) Special regulations cover the material advantages due employers for employing citizens with an impaired work capability.[13]

(4) The government of the Czech Republic and the government of the Slovak Republic shall determine, by decree, the obligatory share in the number of citizens with an impaired work capability with respect to the total number of employees of an employer who has more than 20 employees and shall stipulate the circle of these employees in the event the situation regarding the placement of citizens with an impaired work capability so requires; this obligatory share may not amount to more than 8 percent of the employee force.

PART FIVE
COMMON, TRANSITORY, AND FINAL CONCLUSIONS

Section 25

(1) General legal regulations regarding administrative proceedings[14] apply to decisions in matters of protecting the rights of employment and the obligatory hiring of citizens with an impaired work capability according to this law.

(2) In the event of a decision which bears on material support which was decided upon in an appeals hearing according to general regulations on administrative proceedings, a proposal to have the decision reexamined can be submitted to the kraj court.[15]

Section 26

(1) State labor organizations are authorized to engage in auditing activities according to this law—activities which are defined for them by laws of the national councils. The activity of auditing organs is aimed at adhering to legal regulations on employment and legal regulations having to do with the initiation, change, and termination of employment and working conditions for employees, with the exception of working conditions based on regulations regarding safety and protection of health at work.

(2) Auditing activities according to Paragraph 1 above do not affect the auditing authorization of other organs according to special regulations. Activity aimed at auditing adherence to legal regulations on employment may also be carried out by appropriate trade union organs, to the extent stipulated in the Labor Code.[16]

Section 27

Employers and state labor organs shall cooperate with appropriate trade union organizations and appropriate cooperative organs, organs of persons with impaired health, and, depending on the nature of things, also with employer organizations and territorial organs of the state administration, community organs, and organs of towns in implementing the provisions of this law.

Section 28

Section 9, Paragraph 2, Sections 19 and 24 of this provision do not apply to the employment of citizens in facilities of the armed forces and armed components, with the exception of their civilian components; except that Section 19, Paragraph 2, also does not apply to jobs staffed by selection or nomination[17] or by appointment to a function.[18]

Section 29

An employer who hired a foreign national or a stateless person prior to the effective date of this law may continue to employ such individuals only if they have been granted a work permit, at their request, submitted at the latest within three months following the effective date of this law. The provisions of Sentence 1 do not apply to foreign nationals and stateless individuals hired on the basis of appropriate international treaties.

Section 30

(1) Reexamination proceedings according to Section 25, Paragraph 2, above do not apply to decisions which have become effective prior to the effective date of this law.

(2) The amount of material support paid according to existing regulations up to the effective date of this law is changed, as of 1 February 1991, where this is more advantageous to the job applicant in question.

(3) Claims arising prior to the effective date of this law and involving recruiting bonuses and other entitlements according to regulations listed in Section 32, Points 8 through 30, are judged in accordance with existing regulations.

Section 31

(1) The Ministry of Labor and Social Affairs of the Czech Republic and the Ministry of Labor and Social Affairs of the Slovak Republic shall stipulate, by decree, the more detailed conditions and procedures for keeping records of job applicants and keeping records of available jobs.

(2) The Ministry of Labor and Social Affairs of the Czech Republic, in agreement with the Ministry of Education, Youth, and Physical Training of the Czech Republic, and the Ministry of Labor and Social Affairs of the Slovak Republic, in agreement with the Ministry of Education, Youth, and Sports of the Slovak Republic, shall stipulate, by decree, the more detailed conditions for assuring the requalification of job applicants and employees, as well as the conditions for issuing documents regarding qualification which have validity on a statewide basis.

(3) The Ministry of Labor and Social Affairs of the Czech Republic and the Ministry of Labor and Social Affairs of the Slovak Republic can stipulate, by decree, the conditions for implementing work rehabilitation, training for work assertion, including compensation of expenditures, care for minor citizens with impaired work capabilities, the granting of contributions to employers or possibly to citizens with impaired work capabilities who are independently active in earning their living, as well as the duties of employers with regard to citizens with impaired work capabilities.

(4) The Ministry of Labor and Social Affairs of the Czech Republic, in agreement with the Ministry for Economic Policy and Development of the Czech Republic, and the Ministry of Labor and Social Affairs of the Slovak Republic, in agreement with the Ministry of Economy of the Slovak Republic, may stipulate, by decree, the more detailed conditions involved in the procedures used in negotiating agreements according to Section 20, Paragraphs 3 and 4.

Section 32

The following are rescinded:

1. Law No. 70/1958 Sb. on the tasks of enterprises and national committees in the area of manpower care.

2. Government Decree No. 92/1958 Sb. which implements Law No. 70/1958 Sb. on the tasks of enterprises and national committees in the area of manpower care, as amended by Decree No. 168/1984 Sb. of the Government of the Czechoslovak Socialist Republic.

3. Section 84, Paragraph 2, Sections 85 through 87, Section 90, and Section 97, Paragraph 3, of Law No. 121/1975 Sb. on social security, as amended by Law No. 56/1984 Sb.

4. Sections 80 through 85 of Law No. 100/1988 Sb. on social security, as amended by Law No. 110/1990 Sb.

5. Section 113, Paragraphs 2 through 5, of Federal Ministry of Labor and Social Affairs Decree No. 149/1988 Sb. which implements the law on social security.

6. Government Decree No. 38/1967 Sb. on the placement of graduates of advanced schools, conservatories, specialized middle schools, and middle schools.

7. Section 1, Letters b) and c), Sections 7 through 9, Parts Three and Four, of Federal Ministry of Labor and Social Affairs Decree No. 195/1989 Sb. on safeguarding employees during organizational changes and safeguarding citizens prior to entering upon employment, as amended by Decree No. 312/1990 Sb.

8. Federal Ministry of Labor and Social Affairs Decree No. 33/1974 Sb. on contributions and compensation paid to workers recruited by national committees.

9. Czech Socialist Republic Ministry of Agriculture and Alimentation Decree No. 115/1978 Sb. which stipulates the entitlements to be paid to workers recruited for the sugar refining campaign and for some other campaign-type labor operations.

10. Slovak Socialist Republic Ministry of Agriculture and Alimentation Decree No. 62/1979 Sb. which stipulates the entitlements to be paid to workers recruited for the sugar refining campaign and for some other campaign-type labor operations.

11. Federal Ministry of Labor and Social Affairs Edict of 3 November 1976, File No. F V/1-1046/76-1112, regarding the payment of entitlements to workers and apprentices recruited as a result of advertisements and on the basis of intraindustry transfers from other regions

of the Czechoslovak Socialist Republic to selected organizations on the territory of the capital city of Prague (as published in issue No. 29/1976 Sb.).

12. Federal Ministry of Labor and Social Affairs Edict of 29 December 1978, File No. F 214-1473/78-6650-2273, on entitlements for workers recruited as a result of advertisements from other krajs of the Czechoslovak Socialist Republic to selected organizations on the territory of North Bohemia Kraj (as published in issue No. 14/1979 Sb.).

13. Federal Ministry of Labor and Social Affairs Edict of 26 March 1979, File No. 213-358/79-6340, on recruiting bonuses for apprentices recruited as a result of advertisements to selected organizations of North Bohemia Kraj (as published in issue No. 18/1979 Sb.).

14. Federal Ministry of Labor and Social Affairs of the Slovak Socialist Republic Edict of 27 July 1978, File No. 1-5683/1979, on granting entitlements to workers and apprentices recruited as a result of advertisements and on the basis of intraindustry transfers from other regions of the Slovak Socialist Republic to selected organizations on the territory of the capital city of the Slovak Socialist Republic, Bratislava, according to a resolution passed by the Presidium of the Government of the Czechoslovak Socialist Republic No. 184, dated 19 July 1979 (as published in issue No. 19/1979 Sb.).

15. Federal Ministry of Labor and Social Affairs Edict of 11 March 1975, File No. 1-3-228/75-6651-290, on recruiting bonuses for workers of selected organizations participating in the construction of the Orenburg—western frontier of the USSR gas pipeline project.

16. Federal Ministry of Fuels and Energy Edict of 22 April 1977, File No. I/1977, which regulates the granting of recruiting bonuses for workers recruited as a result of advertisements carried out by national committees for organizations of the Federal Ministry of Fuels and Energy.

17. Federal Ministry of Metallurgy and Heavy Engineering Edict of 28 May 1980, No. 4/1980, on payment of recruiting bonuses to workers of selected trades who were recruited as a result of advertisements carried out by organizations (free advertising campaign) (as published in issue No. 26/1980 Sb.).

18. Federal Ministry of Metallurgy and Heavy Engineering Edict of 31 March 1981, No. 1/1981, which amends Edict No. 4/1980 on payment of recruiting bonuses to workers of selected trades who were recruited as a result of advertisements carried out by organizations (free advertising campaign) (as published in issue No. 16/1981 Sb.).

19. Federal Ministry of Metallurgy and Heavy Engineering Edict of 23 April 1982, No. 3/1982, which amends Edict No. 4/1980 on payment of recruiting bonuses to workers of selected trades who were recruited as a result of advertisements carried out by organizations (free advertising campaign), as amended by Edict No. 1/1981 (as published in issue No. 16/1981 Sb.).

20. Federal Ministry of Metallurgy and Heavy Engineering Edict of 29 April 1983, No. 2/1983, which amends Edict No. 4/1980 on payment of recruiting bonuses to workers of selected trades who were recruited as a result of advertisements carried out by organizations (free advertising campaign), as amended by Edict No. 1/1981 and Edict No. 3/1982 (as published in issue No. 21/1983 Sb.).

21. Federal Ministry of Metallurgy and Heavy Engineering Edict of 3 July 1984, No. 1/1984, which augments Edict No. 4/1980 on payment of recruiting bonuses to workers of selected trades who were recruited as a result of advertisements carried out by organizations (free advertising campaign), as amended by Edict No. 2/1983 (as published in issue No. 21/1984 Sb.).

22. Federal Ministry of Metallurgy and Heavy Engineering Edict of 18 December 1985, No. 4/1985, which amends Edict No. 4/1980 on payment of recruiting bonuses to workers of selected trades who were recruited as a result of advertisements carried out by organizations (free advertising campaign), as amended by Edict No. 2/1983 and Edict No. 1/1984 (as published in issue No. 18/1986 Sb.).

23. Section 3 of Federal Ministry of Metallurgy and Heavy Engineering Edict of 31 December 1971, No. 9/1971, on wage improvements for workers working in engineering metallurgical operations (as published in issue No. 7/1972 Sb.).

24. Federal Ministry of the Interior of the Czech Socialist Republic Edict of 1 May 1978, File No. SD/33-981/78, on the payment of recruiting bonuses in public highway and municipal mass transportation (as published in issue No. 9/1978 Sb.).

25. Slovak Socialist Republic Ministry of the Interior Edict of 1 August 1978, File No. SD-3844/78-4, on paying contributions to workers in public highway and municipal mass transportation who were recruited for that work by the national committees (as published in issue No. 25/1978 Sb.).

26. Czech Socialist Republic Ministry of Forestry and Water Management Edict of 30 October 1978, File No. 14407/2004/OELH/78, on the payment of recruiting bonuses to workers recruited by national committees for the North Bohemia State Forest at Teplice, for the region of the Krusne Hory Mountains (as published in issue No. 2/1979 Sb.).

27. Federal Ministry of Transportation Edict of 17 November 1974 on contributions and compensation granted to some employees in nonrail transportation, who were recruited by organizations under the jurisdiction of the Federal Ministry of Transportation.

28. Federal Ministry of Transportation Directive of 7 July 1978, No. 21, and of 23 October 1978, No. 35, on

contributions which are granted to employees of organizations in railroad transportation who were recruited by organizations under the jurisdiction of the Federal Ministry of Transportation.

29. Federal Ministry of Labor and Social Affairs Edict of 16 June 1986, File No. F 72-25250-7202-200586, on the payment of recruiting bonuses in conjunction with the construction of integrational projects in the Soviet Union (as published in issue No. 13/1986 Sb.).

30. Federal Ministry of Labor and Social Affairs Edict of 12 January 1990, No. F 32-12897-7201-050190, on the payment of contributions and compensation to workers recruited by selected organizations (as published in No. 8/1990 Sb.), as amended by Edict of 24 April 1990, No. F 32-17596-7201-200490 (as published in issue No. 28/1990 Sb.).

Section 33
Effective Date

This law becomes effective on 1 February 1992.

Law No. 305/1991 Sb. which changed Law No. 1/1991 Sb. on employment became effective on 31 July 1991; Law No. 578/1991 on the state budget of the federation for 1992 and on changes in taxation and some additional laws became effective on 1 January 1992, and Law No. 231/1992 Sb. which changes and augments the Labor Code and the employment law became effective 29 May 1992.

Footnotes

1. Law No. 66/1965 Sb. on the sojourn of foreign nationals on the territory of the Czechoslovak Socialist Republic.

2. Czech National Council Law No. 9/1991 Sb. on employment and on the jurisdiction of organs of the Czech Republic in the area of employment.

3. Section 90 of Law No. 100/1988 Sb. on social security.

4. Section 91 of Law No. 100/1988 Sb.

5. Section 141a of the Labor Code; Ministry of Education Decree No. 140/1968 Sb. on work relief and economic support for people studying while they are employed.

6. Section 60, Paragraph 2, of the Labor Code; Section 6 of the Czechoslovak Socialist Republic Government Decree No. 223/1988 Sb. which implements the Labor Code.

7. Section 29, Paragraph 2, Letter d), of Law No. 100/1988 Sb.

8. Law No. 98/1987 Sb. on special contributions for miners, as amended by Law No. 160/1989 Sb.

9. Section 121a of Federal Ministry of Labor and Social Affairs Decree No. 149/1988 SB. which implements the law on social security, as amended by Decree No. 123/1990 Sb.

10. Law No. 1/1992 Sb. on wages, remuneration for a readiness to work, and on average earnings.

11. Section 29, Paragraph 2, Letter c), of Law No. 100/1988 Sb.

12. Section 118 of Decree No. 149/1988 Sb.

13. Law No. 156/1989 Sb. on payments made to the state budget; Law No. 157/1989 Sb. on the income tax, as amended by Law No. 108/1990 Sb.; Law No. 172/1988 Sb. on the agricultural tax, as amended by Law No 157/1989 Sb.; Law No. 389/1990 Sb. on the individual income tax.

14. Law No. 71/1967 Sb. on administrative proceedings (Administrative Code).

15. Section 244 and subsequent sections of the Civil Juridical Code.

16. Section 22 of the Labor Code.

17. Section 27 of the Labor Code.

18. Section 40 of Law No. 60/1965 Sb. on the public prosecutor, as amended by subsequent regulations.

19. Law No. 29/1984 Sb. on the system of basic and middle schools (Education Law), as amended by Law No. 171/1990 Sb. and Law No. 552/1990 Sb.; Law No. 172/1991 Sb. on advanced schools.

20. Section 116 of Decree No. 149/1988 Sb.

21. Law No. 195/1991 Sb. on severance pay upon termination of employment; Federal Ministry of Labor and Social Affairs Decree No. 19/1991 Sb. on work assertion and material support for workers in the mining industry who have been unfit to perform any work for long periods of time.

22. Section 31, Paragraph 4, of Law No. 76/1959 Sb. on some service relationships of soldiers, as amended by subsequent regulations; Section 108 of Law No. 100/1970 Sb. on service relationships of members of the National Security Corps; Section 96 of Law No. 334/1991 Sb. on service relationships of police officers of the Federal Police Corps and of the Corps of Castle Police Officers; Section 117 of Slovak National Council Law No. 410/1991 Sb. on the service relationships of members of the Police Corps of the Slovak Republic.

23. Section 11, Paragraph 6, of Decree No. 149/1988 Sb., as amended by Law No. 306/1991 Sb.

24. Section 49, Paragraph 2, of Law No. 100/1988 Sb.

25. For example, Sections 61 and 130 of the Labor Code.

26. Law No. 498/1990 Sb. on refugees.

Law on Support for Small, Medium Businesses

92CH0979C Prague SVET HOSPODARSTVI in Czech 2 Jul 92 p 11

[Text of Czech National Council Law on State Support for Small and Medium-Size Businesses, effective 28 April 1992]

[Text] The Czech National Council has agreed upon the following law:

PART ONE
BASIC PROVISIONS

Section 1

(1) The purpose of this law is to facilitate the establishment and to firm up the economic standing of small and medium-size businesses (hereinafter referred to as "businesses") which operate and have their seat on the territory of the Czech Republic [CR]. For purposes of this law, such businesses are understood to be businesses employing a maximum of 500 employees.

(2) This law does not apply to primary production agricultural and forestry enterprises.

Section 2

(1) For purposes of implementing this law, the central organs of state administration of the Czech Republic are adopting supportive measures, particularly those assuring the availability of financial resources out of the budget of the Czech Republic, and establish institutions to support businesses (hereinafter referred to as "institutions"). The establishment of an institution is subject to approval by the Government of the Czech Republic.

(2) Supportive measures taken in accordance with this law strengthen the efficiency and competitiveness of businesses and thus equalize their disadvantages which stem from their small economic strength, make it possible for enterprises to adapt to economic and technological changes, and lead businesses toward self-help.

PART TWO
PRINCIPLES FOR SUPPORT

Section 3

Financial support from the state budget of the Czech Republic[1] (hereinafter referred to as "support") is granted to businessmen[2] out of funds set aside within the framework of budgetary chapters of central organs of state administration of the Czech Republic or in the form of subsidies by institutions established for that purpose.

Section 4

(1) The Government of the Czech Republic stipulates the principles and conditions for providing support to businessmen by approving programs for financial support with business intentions (hereinafter referred to as "programs for support").

(2) Support programs must contain particularly the following:

a) Information on the objects and purpose of the support.

b) Identification of support recipients.

c) The central organ of state administration of the Czech Republic or the institution publishing the program in question.

d) The organ which makes decisions regarding the granting of support and the method of making these decisions to grant support.

e) Types of support and conditions for its acquisition.

f) Sanctions for failing to adhere to conditions under which support had been granted.

g) Listing of the individual types of support for each business intention.

h) Details regarding the application for support and the method for submitting it.

i) Duration of the program.

Section 5

(1) The publication of programs, the evaluation selection of applications by businessmen for support is carried out by the entrusted institutions or possibly central organs of state administration of the Czech Republic. The support program is published in OBCHODNI VESTNIK.[3]

(2) Applications for the granting of support are submitted to the relevant institutions or to the central organs of state administration of the Czech Republic.

(3) Support is granted on the basis of an agreement between the applicant and the relevant institution or the central organ of state administration of the Czech Republic. This agreement must specify primarily the purpose, the amount, and conditions for the support, the time during which such support can be drawn, and any sanctions for failing to fulfill the terms of the contract.

(4) Control of the utilization of budgetary resources in conjunction with government-approved support programs and concluded contracts according to Paragraph 3 above lies within the purview of the controlling organ of state administration of the Czech Republic.

PART THREE
TYPES OF SUPPORT

Section 6
Measures Intended To Strengthen the Capital Position of Enterprises

For purposes of establishing new businesses or to support the activity of existing businesses, particularly for purposes of investments,[4] support payments can be made available from resources intended to support loan

guarantees, loans with advantageous interest rates and repayment periods, to pay off parts of loans, or subsidies can be made available (hereinafter referred to as "financial contributions").

Section 7
Support for Increasing Specialization

(1) Financial support can be granted to further the education of apprentices and to increase the specialization of adults, both entrepreneurs and also employees.

(2) Support is made available in the form of financial contributions to entrepreneurs or to private individuals and legal entities which provide services to the business in question intended to increase specialization under advantaged conditions.

Section 8
Support for Business Consultation Services

(1) Financial support can be granted for economic and technical advisory services intended to assist business ventures.

(2) Support is granted in the form of financial contributions to private individuals and legal entities providing advisory services to businesses under advantaged conditions.

Section 9
Support for Business Cooperation

(1) Financial support can be provided for the establishment of joint, particularly nonprofit, facilities which provide services to several businesses or their interest groupings.

(2) Support is provided in the form of financial contributions to joint enterprise facilities.

Section 10
Support for the Acquisition, Processing, and Relaying of Information

(1) Financial support can be granted for purposes of acquiring, processing, and relaying information for the needs of businesses.

(2) Support is provided in the form of financial contributions to private individuals and legal entities providing businesses with information services according to Paragraph 1 above under advantaged conditions.

Section 11
Support for Applied Research and Technical Development

(1) Financial support can be provided for intentions in the area of applied research, technical development, and reexamining suitability, the results of which are utilized by businesses.

(2) Support is made available in the form of financial contributions to private individuals and legal entities who, under advantaged conditions or free of charge, provide businesses with the results of their research and development activities or with the results of their reevaluation of suitability.

Section 12
Support for the Creation of New Jobs

(1) Financial support can be aimed at creating new jobs in businesses, particularly for workers with a reduced work capability.

(2) Support is made available in the form of financial contributions to businessmen to cover expenditures connected with creating a job.

Section 13
Support for the Economic Development of a Region

Financial contributions can be paid to businessmen in economically weak regions which suffer from serious social and ecological consequences.

Section 14
Support for Collaboration With Foreign Countries and Participation in Exhibitions

Support in the form of financial contributions or free services can be provided for purposes of establishing contacts and collaborating with foreign partners and for facilitating the active participation of businesses in intrastate and foreign exhibitions and expositions.

Section 15
Support for the Results of Research Dealing With Small and Medium-Size Businesses

Resources set aside for support can be used to finance the results of substantive research which is of importance from the standpoint of findings dealing with small and medium-size businesses under conditions that these results be accessible to the public.

PART FOUR
CONCLUDING PROVISIONS

Section 16

The Government of the Czech Republic shall present to the Czech National Council an annual report on the development of small and medium-size business ventures, including an evaluation of the effectiveness of support measures and the economic efficacy of using budgetary resources of the Czech Republic according to this law, as well as proposals for additional support measures.

Section 17

This law becomes effective on the date of publication.

Footnotes

1. Czech National Council Law No. 576/1990 Sb. [Collection of Laws] on rules for managing budgetary resources of the Czech Republic and of the communities

in the Czech Republic (republic budgetary rules), as amended by Law No. 579/1991 Sb. and Law No. 166/1992 Sb.

2. Section 2, Paragraph 2, of Law No. 513/1992 Sb.—Commercial Code.

3. Czech and Slovak Federal Republic Decree No. 63/1992 Sb. dealing with OBCHODNI VESTNIK.

4. Section 4 of the Federal Ministry of Finance Decree No. 586/1990 Sb. on writing off basic resources, as amended by Decree No. 345/1991 Sb.

Decree on Long-Term State Properties

92CH0934A Budapest MAGYAR KOZLONY in Hungarian No 88, 28 Aug 92 pp 2,925-2,930

[Text of Government Decree No. 126 of 28 August 1992 Concerning Business Organizations Remaining in Whole or in Part as Long-Term State Property]

[Text] Based on authority granted in Paragraph 31 Sections (2)-(3) of Law No. 53 of 1992 concerning the management and utilization of entrepreneurial property to remain under long-term state ownership (hereinafter: the Law), the government orders as follows:

Paragraph 1

(1) Based on Sections (1)-(2) of Paragraph 2 of the Law, Appendix 1 to this Decree defines business organizations that fall under the authority of the Law and are transferred to the State Property Management Corporation; business organizations which

(a) remain under state ownership in whole or in part in due regard to considerations stated in Section (3) of Paragraph 2 of the Law;

(b) pursue activities with state majority participation as defined in Law No. 16 of 1991 concerning concessions.

(2) In addition to the names of business organizations, Appendix 1 indicates

(a) the ratio of long-term state ownership, or of the long-term business shares (stock) that guarantee long-term membership (stockholder) rights to the state in the business organizations, as compared to the business organizations' recorded capital;

(b) the minimum extent of state property in case of long-term minority ownership by the state;

(c) whether the business organization performs a nationwide public service function.

Paragraph 2

(1) Based on Section (3) of Paragraph 31 of the Law, Appendix 2 lists organizations which operate property that falls under the authority of the Law, and provide a nationwide public service, in regard to which the minister having jurisdiction over the activities pursued exercises the state's ownership rights.

(2) In addition to the names of business organizations, Appendix 2 indicates

(a) the ratio of long-term state ownership, or of the long-term business shares (stock) that guarantee long-term membership (stockholder) rights to the state, as compared to the business organizations' recorded capital;

(b) the minimum extent of state property in case of long-term minority ownership by the state.

(3) Organizations which operate property under the authority of the Law, in regard to which the minister having responsibility for the activities pursued exercises the state's ownership rights shall initiate their conversion into a business organization by 30 June 1993.

Paragraph 3

In addition to property named in Appendixes 1 and 2, forest lands presently owned by the state, and further, certain protected natural land areas (national parks, areas under intensive protection, areas subject to the authority of international agreements) also become part of the starting capital of the State Property Management Corporation, until the law concerning treasury property takes effect.

Paragraph 4

This decree shall take effect on the day of its proclamation.

—Dr. Jozsef Antall, Prime Minister

Appendix 1 to Government Decree No. 126 of 28 August 1992
Business Organizations Under the State Property Management Corporation

Name of Company	Ratio of long-term state share as part of the company's recorded capital; minimum state share	Does the company pursue activities under the authority of Law No. 16 of 1991 (concessions) based on state majority control?	Does the company perform a nationwide public service activity?
A	B	C	D
From the energy sector and related fields of activity:			
MOL Hungarian Oil Industry Corporation	50% + 1 vote	partly	partly
MVM Hungarian Electrical Works Corporation	50% + 1 vote		partly
Gas utilities			
North Transdanubian	25% + 1 vote		yes

**Appendix 1 to Government Decree
No. 126 of 28 August 1992
Business Organizations Under the
State Property Management Corporation (Continued)**

Name of Company	Ratio of long-term state share as part of the company's recorded capital; minimum state share	Does the company pursue activities under the authority of Law No. 16 of 1991 (concessions) based on state majority control?	Does the company perform a nationwide public service activity?
A	B	C	D
South Plains	25% + 1 vote		yes
Central Transdanubian	25% + 1 vote		yes
Beyond the Tisza River	25% + 1 vote		yes
South Transdanubian	25% + 1 vote		yes
MINERALIMPEX Corporation	50% + 1 vote		
From additional infrastructural and related fields of activity:			
Regional Waterworks			
Northern Hungary	50% + 1 vote	yes	yes
Transdanubian	50% + 1 vote	yes	yes
Along the Tisza River	50% + 1 vote	yes	yes
Along the Danube River	50% + 1 vote	yes	yes
North Transdanubian	50% + 1 vote	yes	yes
MAHART Hungarian Marine Transport Corporation	50% + 1 vote	yes	yes
INTERLIGHTER [International Navigation Enterprise]	25%		
MALEV Hungarian Air Transport Corporation	50% + 1 vote		partly
HUNGAROCAMION [trucking]	25% + 1 vote		
Hungarian Broadcasting Enterprise	50% + 1 vote	yes	yes
MATAV [Hungarian Telecommunications Enterprise]	50% + 1 vote	yes	yes
From the producer industry sector:			
DUNAFERR CORP			
Danube Iron Works	25% + 1 vote		
HUNGALU			
Hungarian Aluminum Industry Corporation	25% + 1 vote	partly	
RABA CORPORATION	25% + 1 vote		
IKARUS Vehicle Manufacturing Corporation	25% + 1 vote		
TVK Tisza Chemical Combine Corporation	25% + 1 vote		
BORSODCHEM CORPORATION	25% + 1 vote		
(Borsod Chemical Combine)			
Fuzfo Nitrochemical Industrial Plants	25% + 1 vote		
Pharmaceutical manufacturers:			
CHINOIN CORPORATION	25% + 1 vote		
RICHTER GEDEON CORPORATION	25% + 1 vote		

Appendix 1 to Government Decree No. 126 of 28 August 1992 Business Organizations Under the State Property Management Corporation (Continued)

Name of Company	Ratio of long-term state share as part of the company's recorded capital; minimum state share	Does the company pursue activities under the authority of Law No. 16 of 1991 (concessions) based on state majority control?	Does the company perform a nationwide public service activity?
A	B	C	D
BIOGAL CORPORATION	25% + 1 vote		
EGIS Pharmaceutical Corporation	25% + 1 vote		
ALKALOIDA Chemical Works Corporation	25% + 1 vote		
Trade mark protection, security, or for other unique reasons:			
HEREND Porcelain	25% + 1 vote		
Zsolnai Porcelain	5%		
Szeged Paprika Corporation	5%		
Kalocsa Area Agricultural Industry Corporation	5%		
Pick Szeged Salami & Meat Corporation	5%		
Budapest Meat Processing (HERZ Salami)	5%		
Lower Tokaj Mountain State Farm	5%		
Matra Mining Corporation (copper)	25% + 1 vote		
MEV Mecsek Ore Mine (uranium)	5%		
Therapeutic Accessories Works	50% + 1 vote		partly
HUNGAROPHARMA Pharmaceutical Trading Enterprise	50% + 1 vote		partly
Telecommunications Research Institute	50% + 1 vote		
Pest Area Machine Works	25% + 1 vote		
Technika Foreign Trade Enterprise	50% + 1 vote		
Mechanical Laboratory	25% + 1 vote		
MERTCONTROL CORP [quality control]	50% + 1 vote		
DTEI Institute for Supplying Diplomatic Missions	100%		yes
Gambling Corp (including Horse Racing Sports Enterprise)	100%	yes	
PECUNIA Ltd.	25% + 1 vote	yes	yes
Banknote Printing	25% + 1 vote	yes	yes
State Administrative Computer Service	50% + 1 vote		yes
State Farms engaged in the improvement of species, sowing seed production, etc. (to the extent to which they pursue such activities), and forestries remain under long-term state ownership			
TEHAG [Temperate Water Fish Breeding Farm]	100%		partly
Hodmezovasarhely State Farm	50% + 1 vote		partly

Appendix 1 to Government Decree No. 126 of 28 August 1992 Business Organizations Under the State Property Management Corporation (Continued)

Name of Company	Ratio of long-term state share as part of the company's recorded capital; minimum state share	Does the company pursue activities under the authority of Law No. 16 of 1991 (concessions) based on state majority control?	Does the company perform a nationwide public service activity?
A	B	C	D
Ferto Cane Farm	50% + 1 vote		partly
Komarom Agricultural Combine	50% + 1 vote		partly
Boly Agricultural Combine	50% + 1 vote		partly
Enying State Farm	50% + 1 vote		partly
Balaton Fisheries	50% + 1 vote		partly
Dalmand Agricultural Combine	50% + 1 vote		partly
Papa State Farm	50% + 1 vote		partly
Hidashat State Farm	50% + 1 vote		partly
Torokszentmiklos State Farm	50% + 1 vote		partly
Herceghalom State Farm	50% + 1 vote		partly
Mezohegyes Agricultural Combine	50% + 1 vote		partly
Babolna Corporation [farm]	50% + 1 vote		partly
Lajta-Hansag State Farm	50% + 1 vote		partly
Mezofalva Agricultural Combine	50% + 1 vote		partly
Godollo ATE TV	50% + 1 vote		partly
Cegled State Farm	50% + 1 vote		partly
Szombathely ATG	50% + 1 vote		partly
Szerencs State Farm	25% + 1 vote		partly
Hek State Farm	25% + 1 vote		partly
Szarvas ATG	25% + 1 vote		partly
Sarvar State Farm	25% + 1 vote		partly
Hortobagy State Farm	25% + 1 vote		partly
Sowing Seed Production Enterprise	50% + 1 vote		partly
ERDERT Enterprise (forestry)	25% + 1 vote		partly
South Hungary AEG	100%		
Szombathely AEG	100%		
Somogy EFAG	50% + 1 vote		partly
Vertes EFAG	50% + 1 vote		partly
Pilis State Park Forestry	50% + 1 vote		partly
Borsod EFAG	50% + 1 vote		partly
Gemenc AEVG	50% + 1 vote		partly
Kiskunsag EFAG	50% + 1 vote		partly
Kisalfold EFAG	50% + 1 vote		partly
Mezofold AEVG	50% + 1 vote		partly
Gyula AEVG	50% + 1 vote		partly
Educational State EG	50% + 1 vote		partly
Mecsek EFAG	50% + 1 vote		partly
Ipoly Area EFAG	50% + 1 vote		partly

Appendix 1 to Government Decree No. 126 of 28 August 1992 Business Organizations Under the State Property Management Corporation (Continued)

Name of Company	Ratio of long-term state share as part of the company's recorded capital; minimum state share	Does the company pursue activities under the authority of Law No. 16 of 1991 (concessions) based on state majority control?	Does the company perform a nationwide public service activity?
A	B	C	D
Nagykunsag EFAG	50% + 1 vote		partly
Matra-West Bukk EFAG	50% + 1 vote		partly
Upper Tisza EFAG	50% + 1 vote		partly
Zala EFAG	50% + 1 vote		partly
Balaton Highlands EFAG	25% + 1 vote		partly
From among Research and Development, planning and quality control business organizations operating as enterprises:			
EROTERV Power Plant and Network Planning Corporation	50% + 1 vote		
MUKI Synthetics Industry Research Institute	25% + 1 vote		
ETI Architectural Sciences Institute	25% + 1 vote		
MUKI Synthetics Industry Research Institute	25% + 1 vote		
ETI Architectural Sciences Institute	25% + 1 vote		
EMI Building Quality Control Institute	25% + 1 vote		partly
Electrical Energy Industry Research Institute	25% + 1 vote		
Electrical Industry Research Institute	25% + 1 vote		
SZIKKTI Silicate Industry Central Research & Planning Institute	25% + 1 vote		
VASKUT Iron Ind, R&D Enterprise	25% + 1 vote		
INNOVATEXT Textile Industry R&D Enterprise	25% + 1 vote		
Auto Industry R&D Enterprise	25% + 1 vote		
MIKI Measurement Technology Development Enterprise	25% + 1 vote		
Leather and Shoe Industry Research Institute	25% + 1 vote		
Agricultural Machinery Development Institute	25% + 1 vote		
Industrial Technology Institute	25% + 1 vote		
TUKI Stoking R&D Enterprise	25% + 1 vote		
NEVIKI Heavy Chemicals Research Institute	25% + 1 vote		
MAFKI Hungarian Mineral Oil and Natural Gas Experimental Institute	25% + 1 vote		
KTI Transportation Research Institute	50% + 1 vote		

Appendix 1 to Government Decree No. 126 of 28 August 1992 Business Organizations Under the State Property Management Corporation (Continued)

Name of Company	Ratio of long-term state share as part of the company's recorded capital; minimum state share	Does the company pursue activities under the authority of Law No. 16 of 1991 (concessions) based on state majority control?	Does the company perform a nationwide public service activity?
A	B	C	D
VITUKI Hydraulic Scientific Research Institute	50% + 1 vote		
UVATERV Road and Railroad Planning	25% + 1 vote		
VIZITERV [waterways planning]	25% + 1 vote		
Human Immunology Production & Research Institute	50% + 1 vote		
Pharmaceutical Research Institute	25% + 1 vote		
Medicinal Herbs Research Institute	25% + 1 vote		
Vegetable Growing R&D Enterprise	25% + 1 vote		
Fruit and Ornamental Plant R&D	25% + 1 vote		
Hungarian Dairy Experimental Institute	25% + 1 vote		
National Meat Industry Experimental Institute	25% + 1 vote		
Canned Goods Research Institute	25% + 1 vote		
Tobacco Research and Quality Development Institute	25% + 1 vote		
Wood Processing Industry Research Institute	25% + 1 vote		
From the classical infrastructure, book publishing, and film industry:			
Textbook Publishing Enterprise	100%		yes
Library Supply Enterprise	50% + 1 vote		partly
Music Publishing Enterprise	25% + 1 vote		partly
Film studios:			
Budapest	25% + 1 vote		
Dialog	25% + 1 vote		
Objektiv	25% + 1 vote		
Hunnia	25% + 1 vote		
Film Distributors:			
Hungarofilm Foreign Trading	25% + 1 vote		partly
MOKEP	25% + 1 vote		partly
Film manufacturers:			
Hungarian Film Laboratory Enterprise	25% + 1 vote		
Hungarian Film Manufacturing Enterprise	25% + 1 vote		
MOVI Hungarian Movie and Video Film Manufacturing	25% + 1 vote		
Hungarian Synchron and Video Enterprise	25% + 1 vote		

Appendix 1 to Government Decree No. 126 of 28 August 1992 Business Organizations Under the State Property Management Corporation (Continued)

Name of Company	Ratio of long-term state share as part of the company's recorded capital; minimum state share	Does the company pursue activities under the authority of Law No. 16 of 1991 (concessions) based on state majority control?	Does the company perform a nationwide public service activity?
A	B	C	D
Pannonia Film Enterprise	25% + 1 vote		
Kecskemet Animation Film Enterprise	25% + 1 vote		
Communal Investment Enterprise	25% + 1 vote		partly
HUNGEXPO CORPORATION [expositions]	25% + 1 vote		partly
Sports Facilities Enterprise	100%		yes
Szikra Newspaper Printing Press	50% + 1 vote		partly
Athenaeum (publishing/printing)	25% + 1 vote		
From among banks, financial institutions, insurance companies:			
OTP [National Savings Bank]	50% + 1 vote		
Export Credit Insurance Corporation	50% + 1 vote		
State Insurance Company	20%		
Hungaria Insurance Company	35%		
MBF Corporation [expansion unknown]	50% + 1 vote		
Hungarian Credit Bank Corporation	25% + 1 vote		
OKHB [National Bank of Credit and Commerce]	25% + 1 vote		
General Securities Trading Bank	25% + 1 vote		
Budapest Bank Corporation	25% + 1 vote		
Hungarian Foreign Trade Bank Corporation	25% + 1 vote		
Postabank Corporation	20%		

Appendix 2 to Government Decree No. 126 of 28 August 1992 Business Organizations Performing Nationwide Public Services Under Ministers Having Jurisdiction Over Their Fields of Activity

Name of company	Ratio of long-term state share as part of the company's recorded capital; minimum state share	Does the company pursue activities under the authority of Law No. 16 of 1991 (concessions) based on state majority control?
A	B	C
To the Minister of Transportation, Telecommunications, and Water Resources Management:		
MAV Hungarian State Railroads	100%	yes
GYSEV Corporation [Gyor-Sopron-Eberfurth Railroad]	25% + 1 vote	
Hungarian Postal Service Enterprise	100%	yes
VOLANBUSZ [bus lines] (passenger transport only)	50% + 1 vote	yes
Vertes Volan	50% + 1 vote	yes
Kisalfoldi Volan	50% + 1 vote	yes
Alba Volan	50% + 1 vote	yes
Vasi Volan	50% + 1 vote	yes
Zala Volan	50% + 1 vote	yes
Kapos Volan	50% + 1 vote	yes
Pannon Volan	50% + 1 vote	yes
Gemenc Volan	50% + 1 vote	yes
Bacs Volan	50% + 1 vote	yes
Kunsag Volan	50% + 1 vote	yes
Matra Volan	50% + 1 vote	yes
Hatvani Volan	50% + 1 vote	yes
Agria Volan	50% + 1 vote	yes
Nograd Volan	50% + 1 vote	yes
Borsod Volan	50% + 1 vote	yes
Hajdu Volan	50% + 1 vote	yes
Szabolcs Volan	50% + 1 vote	yes
Koros Volan	50% + 1 vote	yes
Jaszkun Volan	50% + 1 vote	yes
Tisza Volan	50% + 1 vote	yes
Varpalota Volan	50% + 1 vote	yes
Balatonfured Volan	50% + 1 vote	yes
Sumeg Volan	50% + 1 vote	yes
Papa Volan	50% + 1 vote	yes
Dudar Volan	50% + 1 vote	yes
Ajka Volan	50% + 1 vote	yes
Tapolca Volan	50% + 1 vote	yes
Balaton Volan	50% + 1 vote	yes
Penal institutions to the Minister of Justice:		
Duna Mass Production Industry Enterprise	100%	
Satoraljaujhely Linen Enterprise	100%	
Kalocsa Confectionary Enterprise	100%	

Appendix 2 to Government Decree No. 126 of 28 August 1992 Business Organizations Performing Nationwide Public Services Under Ministers Having Jurisdiction Over Their Fields of Activity (Continued)

Name of company	Ratio of long-term state share as part of the company's recorded capital; minimum state share	Does the company pursue activities under the authority of Law No. 16 of 1991 (concessions) based on state majority control?
A	B	C
Alfold Furniture Factory	100%	
Ipoly Shoe Factory	100%	
Budapest Wood Working Enterprise	100%	
Sopronkohida Weavery	100%	
Duna Mixed Goods Enterprise	100%	
Borzsony Mixed Goods Enterprise	100%	
Allampuszta Target Farm	100%	
Annamajor Target Farm	100%	
Palhalma Target Farm	100%	
To the Minister of Defense:		
Ministry of Defense, Budapest Forest and Game Farm	100%	
Ministry of Defense, Veszprem Forestry	100%	
Ministry of Defense, Kaszo Forestry	100%	
Ministry of Defense, Godollo Machine Works	100%	
Ministry of Defense, ARZENAL Electronics Corporation	100%	
Ministry of Defense, ARMCOM Communications Technology Corporation	100%	
Ministry of Defense, CENTRAL Laundries Corporation	100%	
Ministry of Defense, Electronics Directorate	100%	
FMV [Capital Water Works] Torokszentmiklos unit	100%	
To the Minister of Public Welfare:		
Work Therapy Institute, Pomaz	100%	
To the Finance Minister:		
REORG Corporation [bankruptcy]	100%	
Central Corporation of Banking Companies	100%	
State Development Institute	100%	
To the Office of the Prime Minister:		
Newspaper Publishing Enterprise	100%	
To the Minister of International Economic Relations:		
TESCO [Office of Technical-Scientific Cooperation]	50% + 1 vote	
HIT (Hungarian Investcenter Tradeinform)	100%	
To the Minister of Agriculture:		
ATEV [Animal Protein Feed Producing Enterprise]	50% + 1 vote	
ATV Animal Breeding Performance Examining Enterprise	50% + 1 vote	
OMTV National Artificial Insemination Enterprise	50% + 1 vote	

Order on Application of UN Sanctions

93P20003A Bucharest MONITORUL OFICIAL in Romanian Part I No 234, 23 Sep 92 p 8

[Text of Ministry of Trade and Tourism Order on Measures for the Application of United Nations Security Council Resolution No. 757/1992]

[Text] In accordance with the provisions of Government Decision no. 805/1990, with subsequent modifications, on the organization and functions of the Ministry of Trade and Tourism; in light of the 3 June 1992 and 15 July 1992 statements of the Government of Romania and the provisions of orders no. 88/6 June 1992, no. 102/29 June 1992, and no. 112/15 June 1992 of the minister of trade and tourism; and taking into consideration instruction no. 5/4765 approved in the government session of 19 August dealing with U.N. Security Council Resolution no. 757/1992 on the imposition of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro), the minister of trade and tourism issues the following order:

Article 1

An export license issued by the Ministry of Trade and Tourism, under the conditions of the norms in force, must be obtained prior to the export of all goods and products originating from or coming from Romania, to Bosnia-Hercegovina, Croatia and Slovenia, as well as to Macedonia, if they transit Serbia and Montenegro.

Article 2

The export license will be issued under the conditions of the existence of:

—an import license or, in the case of products for which prices have been liberalized, another document, issued by the appropriate authorities of the importing countries, certifying that the goods are used on the territory of the countries listed in Article 1;

—the certificate stipulated in Article 3, if the economic agent in Romania has previously exported goods under the conditions of the present order.

Article 3

When the goods reach their destination, the exporter will obtain, from the appropriate authorities of the territories listed in Article 1, a certificate that will verify the arrival and unloading of the goods and products originating or coming from Romania. This certificate will be filed immediately with the General Directorate for Trade Policy of the Ministry of Trade and Tourism, for the purpose of comparing its content with the export license that has been issued.

Article 4

The violation of the provisions of the present order by Romanian physical persons or juridical persons will result in the application of the sanctions stipulated by the law.

Article 5

The provisions of the present order will be in effect as long as UN Security Council Resolution no. 757/1992 is valid and they will be publicized.

Minister of trade and tourism, Constantin Fota

Bucharest, 14 September 1992

No. 134

Law on Foreign Capital Investment in Oil, Gas

93P20017A Bucharest MONITORUL OFICIAL in Romanian Part I, No 166, 17 Jul 92 pp 2-3

[Text of Law Providing Advantages for the Investment of Foreign Capital in the Field of Oil and Gas Prospecting and Exploitation]

[Text] The Parliament of Romania adopts the present law:

In order to attract foreign capital in oil and gas prospecting and exploitation activities—including those activities aimed at increasing the final recovery factor of the deposits—the present law, which regulates the advantages that can be given to foreign investors that contract to execute work in this field, is adopted on the basis of Article 17 of Law No. 35/1991.

Article 1. Foreign investors who contract to execute oil and gas prospecting and exploitation work and to share the products, including those who have as their goal increasing the final recovery factor of the deposits, benefit from the following advantages:

1. In regard to taxes on the profit from activities stipulated in the present law:

(a) a profit tax shall be paid by the Romanian contracting party in the name of the foreign investor, and the Romanian fiscal organs shall issue, on an annual basis, a certificate verifying the payment of this tax; the sums paid in this manner are considered to be income for the foreign investor and expenses for the Romanian contracting party, which will pay for them, with an additional portion of the products obtained, an amount that will be negotiated when this advantage is granted; or

(b) a profit tax shall be paid equivalent to the amounts of the taxes stipulated by the law in force as of the date of the signing of the contract;

2. In regard to customs taxes:

(a) Imports, made by the foreign investor or his subcontractors, of goods necessary for the execution of

the activities of prospecting for or exploiting oil and gas deposits or increasing their final recovery level, shall be exempt from customs taxes;

(b) Goods for household and personal use, which are needed for the foreign personnel of the investor, of his affiliated companies, and of his foreign subcontractors, shall be exempt from customs taxes; the goods that are exempt from customs import taxes are listed in the attachments to the contract;

(c) Exports of the oil and gas that the foreign investor receives from sharing production results and from the export of goods imported by the investor and by his foreign personnel under the conditions stipulated in letter (b), shall be exempt from customs taxes.

Article 2. In addition to the advantages stipulated in Article 1, foreign investors and the companies affiliated with them, as well as their foreign personnel, are exempt from the payment of any fees and taxes for activities directly connected with the object of the contract, with the exception of those listed in the attachment to the present law.

Article 3. The foreign investor has the right to receive, remit, or keep abroad, exempt from fees, and to use, without restrictions, any income from the sale of petroleum and gas that belongs to it. If local currency in excess of immediate needs is obtained as a result of such sales carried out in Romania, the foreign investor has the right to convert it into convertible currency, under the conditions of the law, to remit it tax-free, and to keep it abroad.

Article 4. For the current determination of the obligations assumed, in accordance with Article 1, point 1, letter (a), by the Romanian contracting party in the name of the foreign investor, the fiscal laws in effect as of the date when the contracts are signed apply for the entire duration of the contracts.

Article 5. The advantages granted to foreign investors, according to the present law, are determined, for each contract separately, for the entire duration of the contract, which cannot be longer than 30 years.

Contracts will be concluded with the stipulation that they will go into effect as of the date of their approval by the government.

This law was adopted by the Chamber of Deputies at its 25 June 1992 session, in compliance with the provisions of Article 74, Paragraph 2 of the Constitution of Romania.

President of the Chamber of Deputies, Dan Martian

This law was adopted by the Senate at its 29 June 1992 session, in compliance with the provisions of Article 74, Paragraph 2 of the Constitution of Romania.

President of the Senate

Academician Alexandru Birladeanu

Bucharest, 8 July 1992

No. 66

ATTACHMENT

Fees and Taxes From Which There Are No Exemptions

1. Taxes on wages and other salary entitlements which are taxable according to the law;

2. Notary fees;

3. Stamp taxes;

4. Fees for procedures, the issuance of certificates, authorizations, and other documents;

5. Fees for services;

6. Fees for opening bank accounts (banking fees, bank commissions);

7. License fees;

8. Fees for registration and for listing in and removal from the Trade Register;

9. Fees for documents and information provided from the Trade Register;

10. Fees and rents for the area under contract;

11. Arbitration fees;

12. Other fees—visa fees, residence taxes, highway taxes, airport taxes, and similar taxes—set by law or by local public administration authorities.

Decision on Civil Defense Measures

93BA0035A Bucharest MONITORUL OFICIAL in Romanian 22 Sep 92 pp 3-6

[Text of Decision No. 531 of the Romanian Government on Implementation of Some Civil Defense Measures]

[Text] On the basis of the provisions of the Romanian Constitution, Law No. 2 of 1978 on Civil Defense in Romania, Law No. 69 of 1991 on Local Public Administration, and Decree No. 430 of 1978 on Some Civil Defense Measures, the Romanian Government hereby decides:

Article 1

The authorities of the central and local public administrations, the public institutions and the economic agents regardless of the form of ownership are required by law to protect the public and property in case of calamities and catastrophes or in time of war.

Article 2

General staffs, specialized committees, and units for civil defense are organized in the ministries and the other authorities of the central and local public administrations (counties, municipalities and the sectors of Bucharest municipality). General staffs and units for civil defense are organized in cities, communes, public institutions and economic agents regardless of the form of ownership.

Article 3

Ministers, heads of the other authorities of the central public administration, prefects, mayors, directors and their respective counterparts in public institutions and economic agents are the heads of civil defense in those authorities and units having general staffs for civil defense as specialized organs.

The general staff of the county, or of Bucharest Municipality and the Ilfov Agricultural Sector for civil defense is the decentralized public service of the Ministry of National Defense in the respective regional-administrative units. The organization, operation, and the structure of this public service are determined by the minister of national defense, who is the head of civil defense in Romania according to Article 7 of Law No. 2 of 1978. The head of civil defense in Romania appoints the chief of the general staff of the county (or of Bucharest Municipality and the Ilfov Agricultural Sector) for civil defense with the approval of the prefect, who is the head of civil defense in the county (or in Bucharest Municipality and the Ilfov Agricultural Sector).

The general staff for civil defense in localities, public institutions and economic agents is the operational staff of the head of civil defense, while in regard to its specialty it is under the general staff of the county (of Bucharest Municipality) for civil defense.

The heads of civil defense in the counties, namely the prefects, and those in the localities, namely the mayors, also coordinate implementation of civil defense measures in the public institutions and economic agents within the regional-administrative jurisdictions.

Article 4

Chiefs of general staffs for civil defense and, as the case may be, other specialized technical personnel as well are employed in the ministries, the other authorities of the central public administration, municipalities, cities, public institutions and economic agents with more than 1,000 employees and also in those with potential sources of nuclear, chemical or biologic risk, and they are specified in their tables of organization with the agreement of the General Inspectorate of Civil Defense and the general staffs of the county and Bucharest Municipality for civil defense.

In communes and public institutions and economic agents not included in the above paragraph, the function of chief of the general staff for civil defense is covered by a plurality of functions.

Article 5

For purposes of protecting the public, all authorities of the central and local public administrations, public institutions and economic agents regardless of the form of ownership as well as the owners of real property are required to provide civil defense shelters when constructing a new building. The outlays for these projects are paid by the respective owners. A construction permit cannot be issued without the approval of the military organs for civil defense.

Article 6

The population and employees are trained for civil defense according to categories of personnel by means of drills, public alerts, exercises, meetings, courses with time off from production and other methods, according to the instructions prepared by the Ministry of National Defense.

Civil defense employees are trained during their working hours or outside of them as the case may be.

Article 7

During civil defense training with time off from production the participants receive their salaries and cash benefits for transportation and accommodations from the public institutions and economic agents where they are employed, in conformity with the legislation in force and the provisions of the collective work contract.

Article 8

The authorities of the central and local public administrations, public institutions, and economic agents regardless of the form of ownership are required to provide the equipment of the civil defense units and the material and financial means necessary to maintain the command posts, shelters, information-alarm systems and the other distinctive means of civil defense, as well as those in the subordinate units, and to keep them in operative condition.

Article 9

Civil defense units and the public are provided with equipment and materials in peacetime and in wartime according to the standards set by the Ministry of National Defense.

The Ministry of National Defense reviews the annual supply plans of the ministries, the other authorities of the central and local public administrations, economic agents, and public institutions in order to provide civil defense with its particular equipment and materials. The

beneficiaries contract for, supply, and pay for these goods, while the county and local councils do so in counties and localities.

Article 10

The cash funds necessary for civil defense activities are provided as follows:

(a) Those for the authorities of the central and local public administrations come out of the state and local budgets respectively, within the limits of the approved sums.

(b) Those for the public institutions and the economic agents regardless of the form of ownership come out of their own budgets.

Article 11

Particular functions of some ministries and authorities of the central public administration:

(a) The Central State Office for Special Problems follows the method for implementing the operations in the investment program for protecting the public and property as well as the measures for technical-material supply of civil defense activities.

(b) The Ministry of Industry determines the measures to prevent chemical, nuclear or biologic accidents, the degree of danger to employees, to the public and livestock as well as the measures for intervention and protection in those situations.

(c) The Renel Autonomous Electric Power Administration informs public authorities, warns the public, and determines measures for protection and intervention in areas subject to floods, downstream from hydraulic engineering constructions.

It compiles plans for protection and intervention at nuclear-electric power plants and takes the measures for safety and prevention of nuclear accidents.

(d) The Ministry of Transportation evacuates the population and property in case of calamities, catastrophes, and war. It determines measures for collective protection of passengers in public transport means, railroad stations, the subway, bus terminals, airports, and ports.

(e) The Ministry of Public Works and Territorial Planning coordinates efforts to implement civil defense projects at the economic agents in its field of activity and their participation in rescuing victims in case of calamities, catastrophes, or war.

(f) The Ministry of Communications ensures the stability of telecommunications in case of calamities, catastrophes, or war, as well as the connections necessary to implement civil defense measures.

(g) The Ministry of the Environment makes meteorological, hydrological, chemical, and biological surveys of the environmental factors, as well as those for radioactive contamination. It determines risk areas in case of floods and other dangerous hydrological and meteorological developments, notifies the local civil defense organs and the General Inspectorate of Civil Defense, and warns the public downstream from dams or other hydraulic engineering works not under the Renel Autonomous Electric Power Administration.

It determines the methods and procedures for decontaminating water and other environmental factors as well as the permissible standards for use of contaminated water.

Article 12

Functions of local public administration authorities:

A. The Local Council

(a) It approves the organizational structure of civil defense in the locality.

(b) It approves the funds allocated to civil defense in the draft local budget.

(c) It approves the methods of notifying and warning civil defense in the locality as well as the measures for individual and collective protection of the public, livestock herds, and property.

(d) It approves the measures proposed by the head of civil defense to avert the effects of calamities, catastrophes, or air raids.

(e) It rules on participation of the local population in efforts toward protection and intervention, and determines measures to prohibit traffic and lighting.

B. The Mayor

(a) He is the head of civil defense and manages local civil defense activity through the general staffs under him.

(b) He proposes the organizational structure of civil defense in the locality for the local council's approval.

(c) He appoints the chief of the general staff for civil defense in the locality, with the approval of the military civil defense organ of the county (or of Bucharest Municipality and the Ilfov Agricultural Sector). He determines the headquarters of the general staff and the location of the command post.

(d) He sees to it that there are enough funds in the draft local budget to implement the investment projects, to equip the command posts and shelters, to provide the civil defense units with equipment and materials, and also to implement the other civil defense measures.

(e) He approves the plans for training civil defense units and recommends measures to the local council for the efficiency of the notification and warning system and for maintenance of the fund for civil defense shelters and materials.

(f) He manages the efforts to prevent and avert the effects of calamities, catastrophes, and air raids, for which purpose he approves the warning and intervention of the civil defense units and those of the public as needed.

(g) He takes measures to prohibit any activities in the public institutions and economic agents regardless of the form of ownership that can endanger human life or health.

(h) He participates in training meetings, exercises, drills, and other activities organized by the military civil defense organs.

(i) He checks the correct implementation of the civil defense measures determined by the county or local council.

C. The County Council

(a) It ratifies the draft budget for the needs of civil defense.

(b) It approves the list of investment projects for civil defense, the equipment of the command posts and shelters, the plan for providing the civil defense units with equipment and materials, and the outlays for other civil defense measures, and it provides for the funds required for them in the budget of the county (or of Bucharest Municipality and the Ilfov Agricultural Sector).

(c) It sets the general policies for improvement of the notification and warning system and for development of the fund for the shelters and material resources for civil defense.

(d) Through the specialized technical organs, it manages, stores, maintains, and preserves the equipment and materials for civil defense in the county.

(e) It makes the equipment and materials for civil defense available to the civil defense units and general staffs of the county (or of Bucharest Municipality and the Ilfov Agricultural Sector) for instruction and intervention.

(f) It organizes and provides for guarding, fire prevention, and safety of the stores of materials and the command posts of the county (or of Bucharest Municipality and its sectors). It takes measures to conceal command posts.

D. The Chairman of the County Council

(a) He submits the draft budget for the needs of civil defense to the county council for its approval.

(b) He arranges for enforcement of the laws and implementation of the decisions that concern civil defense activity.

(c) He approves the appointment and dismissal of county council personnel who are engaged in storing civil defense materials and maintaining and guarding the command posts.

(d) He approves the committee for inventorying, downgrading and discarding civil defense property in the county (or in Bucharest Municipality and the Ilfov Agricultural Sector).

E. The Prefect

(a) He is the head of civil defense in the county. To that end, he checks observance of the Law on Civil Defense through the specialized organs and the general staffs for civil defense of the county (of Bucharest municipality) on the levels of the county council, the local councils, public institutions, and economic agents regardless of the form of ownership.

(b) He checks the correct implementation of civil defense measures established by law on the part of the county councils, the local councils, the mayors, public institutions, and economic agents.

(c) He approves the outline of the county's civil defense, annual plans including the main activities, civil defense plans, plans for intervention in case of calamities and catastrophes, evacuation plans, training plans for civil defense, and other documents drafted by the general staff of the county (or of Bucharest Municipality and the Ilfov Agricultural Sector) for civil defense that are included in the program of main operations and activities in the respective regional-administrative units.

(d) He approves the plans and performance of drills, exercises, public alerts, and other instructive activities headed by the general staff of the county (or of Bucharest Municipality and the Ilfov Agricultural Sector) for civil defense.

(e) He receives the reports and recommendations flowing from the controls performed by the general staff of the county (or of Bucharest Municipality and the Ilfov Agricultural Sector) in the localities, public institutions, and economic agents.

(f) He participates in the training meetings, alerts, exercises, drills, and other civil defense activities organized on the level of the county (or of Bucharest Municipality and the Ilfov Agricultural Sector).

(g) He directly manages the efforts to avert the effects of calamities, catastrophes, or air raids.

(h) He submits to the administrative committee of the county (or of Bucharest Municipality and the Ilfov Agricultural Sector) draft decisions on supplementing public notification and the warning system, the fund for shelters, material resources and other measures to protect the public and property, on the basis of the recommendations of the general staffs of the respective regional-administrative units for civil defense.

(i) He provides through the specialized organs for the warning, protection, and training of the public in areas of nuclear, chemical or biological risk, or downstream from hydraulic-engineering dams.

(j) He takes measures to provide the general staffs of the county (or of Bucharest Municipality and the Ilfov Agricultural sector) with premises for command posts, headquarters, training halls, and stores of civil defense materials.

(k) He analyzes and approves the recommendations sent to the general staff of the county (or of Bucharest Municipality and the Ilfov Agricultural Sector) for civil defense by the civil defense organs in the county and localities for purposes of preparing forecasts for prevention and intervention in case of calamities and catastrophes.

(l) He approves the list of economic agents and public institutions in the county (or in Bucharest Municipality and the Ilfov Agricultural Sector) that organize civil defense units on the levels of the respective regional-administrative units.

Article 13

The particular functions of public institutions and economic agents regardless of form of ownership are as follows:

(a) They organize and provide civil defense units and general staffs with personnel, equipment, and materials. They provide for the necessary measures to notify and warn management organs and employees, and also for intervention in order to limit and avert the effects of calamities, catastrophes, and air raids.

(b) They take measures to protect employees and property in case of calamities, catastrophes and, war and prepare them for civil defense.

(c) They provide the necessary special premises and material and financial resources for civil defense activities.

Article 14

The following acts constitute violations and are punishable by a fine of 10,000 to 100,000 lei, unless they are committed under such circumstances that they are considered offences according to criminal laws:

(a) Refusing to organize, equip, and instruct civil defense units, as well as refusing to participate in intervention actions;

(b) Failing to notify the relevant authorities of the occurrence of calamities or catastrophes; exceeding the permissible amounts of chemical, radioactive or biological contamination; impairing the environmental factors; and finding unexploded munitions without having them defused by the specialized units;

(c) Using the broadcasting-warning facilities and systems, equipment, apparatus and materials for civil defense for purposes other than those for which they are intended, and impairing them and failing to keep them in a constantly operative condition;

(d) Failing to maintain broadcasting-warning facilities, shelter premises, and equipment for civil defense;

(e) Refusing to take preventive measures and those to protect people, livestock, and property, or refusing to participate in civil defense training;

(f) Failing to draft the particular operational documents for planning, organizing, equipping, and managing civil defense.

Article 15

The violations specified in Article 14 are established and sanctioned according to law by the representatives of the General Inspectorate of Civil Defense.

A complaint challenging an alleged violation may be lodged with the prefect or the general inspector of civil defense, as the case may be, within 15 days of the date of notification.

Article 16

The Ministry of National Defense will provide for enforcement of the present decision.

Signed: Prime Minister Theodor Stolojan

Countersigned: Minister of National Defense Niculae Spiroiu, Minister of Industry Dan Constantinescu, for Minister of Public Works and Territorial Planning Victor Dumitrache, Minister of Communications Andrei Chirica, Minister of Environment Marcian Bleahu, Minister of Economy and Finance George Danielescu and Minister of the Budget, State Incomes, and Financial Control Florian Bercea

Bucharest, 4 September 1992

No. 531

Decision on Higher Intelligence School in SRI

92P20415A Bucharest MONITORUL OFICIAL in Romanian Part I, No 206, 24 Aug 92 pp 12-13

[Text of Decision No. 427 of the Government of Romania on the Establishment of the Higher Institute for Intelligence Subordinate to the Romanian Intelligence Service]

[Text] The Government of Romania decrees that:

Article 1

The Higher Institute for Intelligence [ISI] is established, with headquarters in the Bucharest Municipality, as a military higher educational institution, subordinate to the Romanian Intelligence Service [SRI].

The ISI will train active and reserve intelligence officers for the needs of the SRI.

Active and reserve officers from other organs concerned with national security can also be trained at the institute, on the basis of agreements concluded between these organs and the SRI.

Article 2

On the basis of principles of university autonomy, the Faculty of Psycho-sociology will operate in the framework of the ISI, offering day courses and nonattendance courses, as a result of the transfer of this faculty from the "Alexandru Ioan Cuza" Police Academy to the structure of the institute.

Article 3

The organizational structure, the table of organization, and the resources of the ISI, in peace and war, will be approved by the director of the SRI.

Article 4

The period of study is four years for day courses and five years for nonattendance courses, without any possibility of repeating years of study.

Article 5

In accordance with legal norms based on need, by order of the director of the SRI, and with the approval of the minister of education and science, other faculties or specialized departments, with day courses or nonattendance courses, can be established in the ISI.

Training profiles, specializations, and study guidelines will be set by order of the SRI director.

Article 6

Students will be admitted to the ISI on a competitive basis, in accordance with legal provisions on admittance to state higher education institutions.

The criteria for selecting candidates and the annual training figures will be determined by order of the SRI director.

Article 7

Teaching plans will be drawn up by the ISI senate, in consultation with the Ministry of Education and Science, and are approved by the director of the SRI.

Teaching programs will be approved by the rector of the institute, upon recommendation of the deputy director of the SRI in regard to issues related to education.

Article 8

The appointment, promotion, and removal of teaching personnel will be carried out by the director of the SRI, in accordance with the legal conditions established for higher education.

Article 9

The teaching norms for the cadres of the institute will be set by the Ministry of Education and Finance and adapted to specific military needs, with the approval of the SRI director.

Article 10

For the best possible execution of educational activities, the ISI can use, when needed, teaching personnel from civilian higher educational institutions and specialists from the field of scientific research or from the state apparatus who satisfy the legal conditions. They will be paid by the SRI, under the conditions of the law.

Article 11

After they are promoted to the third year of their studies, SRI students will be given the rank of active-duty lieutenant.

Article 12

Upon the completion of their courses, the students will take a graduation examination and those who pass are given a diploma. Diplomas certifying graduation from the institute will give the possessors the right, only if they are transferred to the reserves, to be hired for civilian jobs for which legal norms require specialized higher studies or the equivalent.

The content of the diploma will be determined by the SRI, with the agreement of the Ministry of Education and Science, in accordance with legal norms.

Article 13

Graduates will be assigned on the basis of the results obtained in their studies and on the basis of the needs of the SRI and of the other institutions that, through agreements concluded with the SRI, have had their own personel trained in the institute.

Article 14

Candidates admitted to the ISI are considered to be conscripted. The students will sign written pledges that will obligate them, after the completion of their courses, to carry out active military service for a minimum of 10 years. If a student or graduate does not discharge his obligation, or if he drops out of the institute or is transferred to the reserves for committing infractions or serious violations that make him unfit for a military position, he is obligated to pay back the education and board expenses, with the time served taken into consideration.

Education and board expenses include expenses for food, supplies, lodging, and other benefits received by students.

Article 15

Upon recommendation of the ISI senate and with the approval of the Ministry of Education and Science, students who, because of sickness or other reasons for which they are not responsible, will not be able to continue their studies at the institute, will be able to continue their studies in other civilian higher educational institutes, without having to pay the expenses incurred during their education period.

Former students, who are suited for military service, will be sent to military units to continue their term of military service, or, on a case by case basis, will go into the reserves with the corresponding rank, in accordance with the provisions of the law.

Article 16

As of the date of the adoption of the present decision, the ISI will take over all material, technical, and educational resources in the exclusive possession of the Faculty of Psycho-sociology at the "Alexandru Ioan Cuza" Police Academy.

Article 17

Students of the SRI, who are currently enrolled in day courses and nonattendance courses in the Police Faculty of the "Alexandru Ioan Cuza" Police Academy, for the 1989-93 and 1990-94 periods, will continue their training in the framework of these courses. Officers who are currently members of the SRI and who completed courses in the Military School for Active Officers of the Ministry of Interior in the 1979-89 period, as well as 1990 and 1991 graduates of the Higher Military School for Officers in the Ministry of Interior or of the "Alexandru Ioan Cuza" Police Academy, whose studies are not considered to be equivalent to advanced juridical studies, can be enrolled in at least the third year of studies, in a nonattendance course, in the Police Faculty or in other law faculties, for the purpose of continuing their studies and obtaining a degree. In this area, the SRI will determine the annual number of students, by mutual agreement with the Ministry of Education and Science and the law faculties.

Article 18

The regulation on the organization and operation of the ISI and the rules for students will be drawn up by the SRI, on the basis of the provisions of the law and of the present decision, and will be approved by the director of the SRI.

Article 19

The ISI will organize the advanced training of SRI cadres in postgraduate and doctoral studies, according to the provisions of the law.

Article 20

Within the ISI, a postgraduate department will be set up for specialization in intelligence activities related to national security and will operate in the periphery of the Romanian Intelligence Service Center for Advanced Training of Cadres and for Training Reserve Officers, with headquarters in Gradistea, in Giurgiu County.

Article 21

As of the date of the present decision, any conflicting provisions contained in Romanian Government Decision No. 137 of 25 February 1991 are repealed.

Signed: Prime Minister Theodor Stolojan

Countersigned: Minister of Education and Science Mihail Golu and Director of the Romanian Intelligence Service Virgil Magureanu

Bucharest, 4 A gust 1992

No. 427

Decision on Pension, Entitlement Indexing

92P20403A Bucharest MONITORUL OFICIAL in Romanian 31 Aug 92 pp 5-8

[Text of Romanian Government decision regarding indexing and payment of state social security and military, invalid, orphan, and war widow pensions and other incomes of the population, beginning 1 September 1992]

[Text]

Article 1

(1) Beginning 1 September 1992, as a result of the increase in prices and fees for nonsubsidized goods and services, a 10.37 percent index will be applied to social security, military, and IOVR [Invalids, Orphans, and War Widows] pensions and pensions stipulated by Law No. 42/1990 to honor the memory of martyr heroes and to award entitlements to their descendants, as well as to those wounded during the Revolution of December 1989.

(2) As a result of the reduction of the subsidies for some products and services, pensions indexed according to the provisions of Paragraph 1 are increased by a fixed amount, representing a 100-percent compensation for the increase in the prices and fees for the subsidized products and services, as follows:

(a) 610 lei, for age-based pensions with full seniority and for level I disability pensions;

(b) 520 lei, for age-based pensions with incomplete seniority and for level II disability pensions;

(c) 365 lei, for level III disability pensions.

The amount of the compensation for levels II and III disability pensions was set at 85 percent and 60 percent,

respectively, of the compensation given for level I disability, in accordance with the proportion of these pensions, according to the law, in the base pension;

(d) Survivors' pensions are increased by a fixed sum compensation representing 50 percent, 75 percent, or 100 percent of the compensation of 610 lei, specified in letter (a), depending on whether one, two, or more survivors are to be paid.

Article 2

The following incomes are increased by the general indexing-compensation rate of 15.74 percent, which covers both the effect of the reduction of subsidies and the effect of the increase in the prices and fees for nonsubsidized products and services:

(a) Additional pensions from the state social security system;

(b) Caregiver reimbursements given to retirees with level I disability;

(c) Public assistance granted on the basis of pension legislation;

(d) Monthly payments given to mothers of martyr heroes, in accordance with Law No. 42/1990, with subsequent modifications;

(e) Compensations and increases granted to invalids, veterans, and war widows on the basis of Law No. 49/1991;

(f) Quarterly monetary aid granted in accordance with Decree-Law No. 70/1990;

(g) Aid to wives of conscripts;

(h) Ad hoc assistance given in accordance with Council of Ministers Decision No. 454/1957;

(i) Support allocations for minors placed with families or entrusted, by law, to families or individuals;

(j) Monthly financial aid determined in accordance with Article 14 of Law No. 23/1969;

(k) Monthly compensation for each year of detention, internment, house arrest, or relocation, granted on the basis of Decree-Law No. 118/1990, with subsequent additions;

Article 3

Unemployment assistance and support allocations for persons receiving payment as of 1 September 1992 are indexed by 15.3 percent, in accordance with the general coefficient for indexing and compensation for wage-earners.

Article 4

The monthly state allocation for children is increased by 160 lei per child, in accordance with the general coefficient for indexing and compensation for wage-earners.

Article 5

The assistance granted, according to the law, in the case of the death of a wage-earner or retiree is set at 12,000 lei, and it is 10,000 lei in the case of the death of a family member or of a socially-dependent person.

Article 6

Food allowances for collective consumption in state social units are indexed upto the limit of the price increases forecast for food products and they are stipulated in Attachment No. 1.

Article 7

The amounts of the scholarships granted to high school and university students as a result of indexing, under the present decision, are given in Attachment No. 2.

Article 8

The price differences resulting from the elimination of subsidies for prostheses and orthopedic products, granted in accordance with the law, will be paid for out of social security, public assistance, or other funds, according to the case, in accordance with the laws in force.

Article 9

Public assistance for medicines used for outpatienmt treatment and for other health items stipulated by the Ministry of Health, together with the Ministry of Labor and Social Protection and the Ministry of Finance, will be provided from the special health fund, in accordance with the laws in force.

Article 10

The entitlements due to persons who, on the date of the indexing or on a continuing basis, are temporarily incapacitated for work, on maternity leave, on leave for caring for a child under one year of age, or in other situations in which entitlements are set, in accordance with the law, on the basis on the base wage, will continue to be determined on the basis of the new amount of the base wage.

Article 11

(1) The sums resulting from compensation and indexing will be included, beginning 1 September 1992, in the entitlements to which they refer, so that there will be new amounts for these entitlements.

(2) The sums representing the results of the compensation and indexing are paid from the same funds as the entitlements to which they are applied.

(3) The sums resulting from compensation and indexing, under the present decision, those representing the indexing and compensation specified by government decisions No. 219/1991, No. 579/1991. No. 780/1991. No. 20/1992. No. 150/1992, and No. 219/1992, as well as the sums obtained as a result of the increase in pensions in accordance with government decisions No. 526/1991 and No. 277/1992 are not included in calculating the income on the basis of which the following are granted or determined: rents for state housing, state allocations for children, contributions due to persons providing the legal support for persons interned in public assistance institutions, quarterly and ad hoc monetary assistance, discounts given to wage earners and retirees on the purchase of prostheses and orthopedic products, as well as the right to have meals at public assistance canteens.

(4) The ceilings set by government decision No. 360/1991, on the basis of which the contribution of parents for the support of children in creches and kindergartens, are stipulated in Attachment No. 3.

(5) The cost of the hot meals and the compensation for the food which is given, according to regulations in effect, to wage earners in some autonomous administrations and commercial companies with majority state capital, which are paid out of production expenses, will be increased by 22.7 percent, representing the expected increases in the prices of food products for these units.

Article 12

It is recommended that the companies with a majority of private capital, as well as the cooperative and public organizations, and the social security systems—besides the state system—apply the social protection measures stipulated by the present decision.

Signed: Prime Minister Theodor Stolojan

Countersigned: Dan Mircea Popescu, Minister of Labor and Social Protection
George Danielescu, Minister of Economy and Finance
Florian Bercea, Minister for the Budget, State Revenues, and Financial Control

Bucharest, 28 August 1992

No. 500

Attachment No. 1

Daily Food Allocation for Collective Consumption in State Social Units

	(lei per day)
Education	
Children in extended kindergarten programs	166
Children in weekly kindergarten programs	186
Children in pre-school homes and special kindergartens	228
Pupils and youths in children's homes	203
Pupils and youths in care units and in special education for rehabilitatable and partially rehabilitatable deficiencies, and in training and retraining centers for the mentally deficient and handicapped	242
Pupils in special reeducation schools	166
Primary and middle school pupils	166
High school students	170
Vocational school students	175
Students in supplementary schools and trade schools	166
Students in postsecondary schools	179
College students	203
Students with stabilized cases of tuberculosis, in special schools	242
Vocational and cultural-artistic competitions of pupils and students on the county and regional levels and in the finals, and participants in international olympiads	203
Children in camps and colonies and on excursions	203
Children in international camps	242
Health Care	
Adult patients in health units	242
Patients in day facilities	122
Premature newborns in maternity wards, sections or departments (nursing mothers will receive the infants' food allocation)	39
Children up to three years of age hospitalized in health units	122

Daily Food Allocation for Collective Consumption in State Social Units (Continued)

	(lei per day)
Education	
Children 3-16 years of age hospitalized in health units	203
Children in creches with day programs	122
Children in creches with week-long programs	186
Children in nurseries	186
Burn victims hospitalized in health units	320
Patients in leper colonies	407
Attendants for patients interned in health units	242
Allocation for .500 liters of milk in milk kitchens	22
Blood donors	410
Foreigners hospitalized in the National Institute for Gerontology and Geriatrics	816
Public Assistance	
Homes for the aged and retirees	186
Hospital-homes for adults	228
Homes for minors with mental deficiencies and reception centers for minors	242
Public-assistance canteens	166

Daily Food Allocation for Sports Activities

Performance sports activities		
Type	**In canteens, excluding management (in lei)**	**In restaurants, including management (in lei)**
Athletic competitions within the country	Up to 950	Up to 1,420
Training camps, semitraining camps, and other camps	Up to 1,055	Up to 1,580
International athletic competitions, including official meals	Up to 1,260	Up to 1,900
Athletic events other than performance sports		
Athletic competitions inside the country		520
Training camps, semitraining camps and other camps		550
International athletic competitions		680

Attachment No. 2

Amounts of Tuition Scholarships and Merit Scholarships for Pupils and Students

	(lei per month)
Preuniversity Education	
Tuition scholarships	6,365
Merit scholarships	1,910
Scholarships for students from the Republic of Moldova	8,400
University Education	
Category I education scholarships	9,430
Category II education scholarships	8,155
Category III education scholarships	6,880
Merit scholarships	2,545
Education scholarships for Republic of Moldova students	10,190
Postgraduate, specialized, or doctoral studies scholarships for Republic of Moldova students	12,735
Student scholarships granted by the Romanian state for foreign students	10,190
Postgraduate studies scholarships granted by the Romanian state for foreign students	12,735

Attachment No. 3

Ceilings for Determining the Contribution of Parents to the Support of Children in Creches and Kindergartens

Ceilings stipulated by government decision No. 360/1991 (in lei)	Ceilings indexed as of 1 September 1992 (in lei)
Up to 12,000	up to 38,000
12,001 to 20,000	38,001 to 55,000
Over 20,000	over 55,000

Decision on Minimum Wage, Wage Indexing

92P20408A Bucharest MONITORUL OFICIAL in Romanian No 216, 31 Aug 92 pp 4-5

[Text of Government Decision No. 499 on the compensation and indexing of wages and the determination of the gross minimum nationwide wage, for the period from 1 September to 31 December 1992]

[Text] The Government of Romania has decided the following:

Article 1

(1) For the period from 1 September to 31 December 1992, commercial companies with majority state capital and autonomous managements, in which wages are determined by negotiations, will calculate the fund intended for the payment of wages for which no supplementary tax is paid by increasing the wage fund that is determined on a monthly basis, as was done prior to 1 September 1992 on the basis of the provisions of Government Decision No. 21/1922 and the indexing coefficient of 65 percent set for the May-August 1992 period, with the amount of money resulting from the multiplication of the average number of personnel on the rolls each month by the value of the average compensation-indexing per worker of a gross amount of 3,750 lei per month, which represents, in the economy, an average wage increase of 15.3 percent.

(2) The amount calculated on the basis of Paragraph 1 ensures that an average gross amount of 3,750 lei per wage earner will be given for the compensation or indexing of wages, without any supplementary tax, representing:

(a) 1,100 lei gross per month for 100 percent compensation for the increase in prices and fees for subsidized products and services, representing an average wage increase of 4.5 percent;

(b) 2,650 lei gross per month for a 50 percent indexing of the predicted increase in prices and fees for nonsubsidized products and services, representing an average wage increase of 10.8 percent.

(3) On the basis of the provisions of paragraphs (1) and (2), commercial companies with majority state capital and autonomous managements, in which wages are determined by negotiation, will decide, together with the trade unions, on the methods of compensating and indexing wages on the basis of a fixed amount or in percents, and on their value, taking into account their own financial possibilities in the September-December 1992 period.

(4) The compensation-indexing determined on the basis of Paragraph (3) will be paid for September 1992 together with the payment of the advance for this month.

(5) On the basis of the actual evolution of consumer prices, in the September-December 1992 period, the value of the compensation-indexing provided for in Paragraph (1) can be corrected on the basis of recommendations from the National Commission for Indexing set up in accordance with Government Decision No. 843/1991.

Article 2

On the basis of the provisions of Article 1, Paragraph (3) of Law No. 58/1991 and Article 1, Paragraph (3) of Government Decision No. 314/1992, the wages of personnel in the institutes financed out of the budget, as well as those of personnel in autonomous managements of a special type will be paid and indexed, beginning 1 September, in the same proportion as the average increase in wages stipulated in Article 1, Paragraph (1).

Article 3

The levels of monthly individual taxable incomes that will be in effect beginning with the payments of September 1992, determined on the basis of the percent for the compensation-indexing of wages stipulated in Article 1, Paragraph (1), are given in the attachment.

Article 4

It is recommended that the the units with majority private capital, as well as cooperative and public units, apply the compensation-indexing of wages, taking account of the provisions of the present decree.

Article 5

(1) Beginning on 1 September, the nationwide minimum gross base wage is 12,920 lei per month for a full work schedule of 170 hours a month, on an average, which represents 76 lei per hour.

(2) If, according to the law, the work schedule is less than 8 hours a day, the minimum gross base hourly wage is calculated by the economic agents by finding the ratio of

the nationwide minimum gross wage, specified in Paragraph (1) to the average number of hours per month according to the approved legal work program.

(3) Juridical persons and individuals who hire employees on a full or partial schedule cannot negotiate and set the base wage, by individual work contract, at an amount below the nationwide minimum gross base hourly wage.

[Signed] Prime Minister Theodor Stolojan

Countersigners; Minister of Labor and social Protection, Dan Mircea Popescu Minister of economy and finance, George Danielescu Minister for the budget, state revenues, and financial control

Bucharest, 28 August 1992

No. 499

Attachment

Levels of Taxable Incomes and Amounts of Taxes That Will Be Applied Beginning With the Payment of Wages for September 1992

Monthly Taxable Income (in lei)	Monthly Tax
up to 1,500	6 percent
1,501-1,700	90 lei + 10 percent of anything over 1,500 lei
1,701-2,300	110 lei + 18 percent of anything over 1,700 lei
2,301-3,800	218 lei + 22 percent of anything over 2,300 lei
3,801-6,200	548 lei + 23 percent of anything over 3,800 lei
6,201-9,300	1,100 lei + 24 percent of anything over 6,200 lei
9,301-15,600	1,844 lei + 25 percent of anything over 9,300 lei
15,601-21,800	3,419 lei + 26 percent of anything over 15,600 lei
21,801-31,000	5,031 lei + 28 percent of anything over 21,800 lei
31,001-46,600	7,607 lei + 31 percent of anything over 31,000 lei
46,601-62,100	12,443 lei + 35 percent of anything over 46,600 lei
62,101-77,700	17,868 lei + 40 percent of anything over 62,100 lei
over 77,700	24,108 lei + 45 percent of anything over 77,700 lei

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30 Nov 1992